

**DIRECTORS' MEETING  
MONDAY, APRIL 18, 2005 - 11:00 A.M.  
CONFERENCE ROOM 113**

**I. MAYOR**

1. NEWS RELEASE - RE: Mayor Presents Awards Of Excellence For February and March -(See Release)
2. NEWS RELEASE - RE: 911 Center Seeks Re-Accreditation-Assessment team invites public comment -(See Release)
3. NEWS RELEASE - NOTE: DATE CORRECTED IN THIRD PARAGRAPH - RE: 911 Center Seeks Re-Accreditation-Assessment team invites public comment - (See Corrected Release)
4. Response Letter from Lin Quenzer to Rick Meyer - RE: The return of one of the cats seized by Animal Control from your home -(See Letter)
5. Washington Report - April 8, 2005.

**II. DIRECTORS**

**FINANCE DEPARTMENT/CITY TREASURER**

1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department, Treasurer of Lincoln, Nebraska - Investments Purchased March 14 thru April 1, 2005.

**HEALTH**

1. NEWS RELEASE - RE: 18<sup>th</sup> Annual Lincoln & Lancaster County Environmental Awards -(See Release)

**PLANNING**

1. Letter from Geanine Bordogna, Owner, Park Place Development sent to Planning Dept. - RE: Bill #05R-78-Waiver #05003-Park Place Estates 5<sup>th</sup> Addition-Public Hearing: 4/18/05 -(See Letter)

2. Letter from Tom Cajka to Lyle Loth, ESP - RE: Hartland Homes SW 4<sup>th</sup> Addition Final Plat #05018 generally located at West "A" St. & SW 27<sup>th</sup> St.- (See Letter)

#### **PLANNING COMMISSION FINAL ACTION ....**

1. Preliminary Plat No. 05004 - Mount Olive (N. 80<sup>th</sup> Street and Holdrege Street) Resolution No. PC-00919.

#### **PUBLIC WORKS & UTILITIES**

1. Memo from Don Thomas, County Engineer & Roger Figard, City Engineer - RE: Joint Public Agency Creation - (See Memo)

#### **WEED CONTROL AUTHORITY**

1. Combined Weed Program - City of Lincoln - March 2005 Monthly Report.

### **III. CITY CLERK**

### **IV. COUNCIL**

#### **A. COUNCIL REQUESTS/CORRESPONDENCE**

##### **JON CAMP**

1. E-Mail from Robert D. Rook to Jon Camp - RE: Smoking ban-theatres - (See E-Mail)

##### **GLENN FRIENDT**

1. Request to Dana Roper, City Attorney - RE: Political campaign forums on 5 City TV- (RFI#42 - 04/14/05)

## **PATTE NEWMAN**

1. OUTSTANDING Request to ~~Marc Wullschleger, Urban Development/~~  
**Lynn Johnson, Parks & Recreation/Ann Harrell, Public Works** - RE:  
Requesting information about the proposed bike/ped bridge over North 27<sup>th</sup>  
Street - (RFI#32-3/15/05). — **1.) SEE RESPONSE FROM WYNN  
HJERMSTAD, URBAN DEVELOPMENT DEPARTMENT  
RECEIVED ON RFI#32-3/23/05.**
2. Additions to Requests For Information #30 from Patte Newman & #164  
from Annette McRoy to Don Taute, Personnel Director - RE: "M" class  
employees - (PNRFI#30A & AMRFI#164A - 4/06/05)
3. Additions to Request For Information #32 to Marc Wullschleger, Urban  
Development - RE: North 27<sup>th</sup> Bridge - (RFI#32A-4/06/05)

## **ANNETTE McROY**

1. Additions to Requests For Information #30 from Patte Newman & #164  
from Annette McRoy to Don Taute, Personnel Director - RE: "M" class  
employees - (PNRFI#30A & AMRFI#164A - 4/06/05)

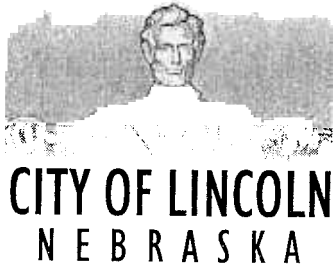
## **V. MISCELLANEOUS**

1. 13 -E-Mail's from Tracy Houser; Cindy Wostrel; Derek Effle; Sandra  
Markley; Timothy Harris; Brian Wiese; Lisa Barrett; Katherine Creighton;  
Lazarous Mbulo; Becki Coleman; Steve Tafolla; Vicki Johnson; Erin  
Robbins; - RE: Thank you for a Smokefree Lincoln! - ( See E-Mail's)
2. 2 -E-Mail's from Jerry Gish - RE: Lincoln Council & Mayor Denounce  
Freedom of Choice! & other Correction E-Mail -(See E-Mail's)
3. Letter from Concerned parents & grand parents, Jonathan & Regina Frank;  
& Elroy & Roberta Frank - RE: Opposed to Wal-Mart at 84<sup>th</sup> & Adams -  
(See Letter)
4. 2 -E-Mail's from Karla Foit; Sally Bernhardt - RE: Thank you for a  
Smokefree Lincoln! -(See E-Mail's)

5. 4 -E-Mail's from Jennifer Carlson; Deborah Skourup; Jill Simpson; Dawn Kohler; - RE: Thank you for a Smokefree Lincoln! -(See E-Mail's)
6. E-Mail from Sara Friedman - RE: Yankee Hill feasibility study - (See E-Mail)
7. E-Mail & Article from David Oenbring - RE: Politics Causes Unemployment-consider following article in your debate over "living wage"- (See Material)
8. E-Mail from Tish Walker - RE: Thank you for a Smokefree Lincoln! -(See E-Mail)
9. E-Mail from Edith Gerbholz - RE: Thank you for a Smokefree Lincoln! - (See E-Mail)
10. E-Mail from Kevin Gabel - RE: The Smoking Ban -(See E-Mail)
11. E-Mail from Roma Knox - RE: Thank you for a Smokefree Lincoln! -(See E-Mail)
12. Letter Micah Cluck - RE: A claim to the City for damages to his vehicle that was denied -on October 29, 2004, he ran over a road construction sign, which caused both of his left tires to blow out-(See Letter)

## **VI. ADJOURNMENT**

da041805/tjg



# NEWS RELEASE

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** April 11, 2005

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

### **MAYOR PRESENTS AWARDS OF EXCELLENCE FOR FEBRUARY AND MARCH**

Mayor Coleen J. Seng today presented the Mayor's Award of Excellence for February to Joanne Farrell and Kimberly Widicker of Aging Services and for March to Pamela Gruber and Kristy Bassett of the Parks and Recreation Department. The monthly awards recognize City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. The awards were presented at the beginning of today's City Council meeting.

**Farrell** is an Aging Program Coordinator, and **Widicker** is an Aging Specialist. They were nominated in the category of productivity by DeLayne Peck, Donna Mulder and Joyce Kubicek of Aging's LIFE Office. The award winners are involved in the Harvest Project, which allows older people with mental illness to function in the community, rather than being placed in institutions. The Harvest Project is a collaboration of Aging's LIFE office, Centerpointe, and the Community Mental Health Center, and each agency provides a care manager. Widicker is LIFE's representative on the team. Farrell is her supervisor and has served on the steering committee of the Harvest Project since its inception in 2000.

The nominators wrote that Widicker spends 97 percent of her available time in direct service, significantly above the average goal for staff in the LIFE office. Together, Widicker and Farrell provided 264 more hours of care management in the last year than the other two agencies involved in the project.

Farrell provides intake and care management and handles crisis situations. She also has the broader role of networking with the Harvest Project agencies, the police, hospitals and the judicial system. Her efforts have led to an increase in communication among service providers and training for health and human service professionals.

**Gruber** and **Bassett** are account clerks. Gruber has been employed by the City since 1978, and Bassett has been employed by the City since 1983. They were nominated by Dan Murray of the Parks and Recreation Department in the category of productivity for their hard work when a vacancy occurred in the office. The vacancy occurred during an very busy time when other staff members were not able to help due to budget preparation. Gruber and Bassett took on the personnel duties - entering time sheets and doing payroll - as well as keeping invoices paid and orders processed.

more -

**Awards of Excellence**  
**April 11, 2005**  
**Page Two**

In his nomination, Murray writes: "Pam and Kristy jumped in without hesitation or being asked, and without skipping a beat with their own areas of responsibility. We are very fortunate to have these two individuals in the Department, and they are to be commended for doing an outstanding job."

The other categories in which employees can be nominated are safety, loss prevention, customer relations and valor. All City employees are eligible for the Mayor's Award of Excellence except for elected officials and some managers. Individuals or teams can be nominated by supervisors, peers, subordinates and the general public.

Nomination forms are available from department heads, employee bulletin boards or the Personnel Department, which oversees the awards program. All nominations are reviewed by the Mayor's Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a \$100 U.S. savings bond, a day off with pay and a plaque. Monthly winners are eligible to receive the annual award, which comes with a \$500 U.S. savings bond, two days off with pay and a plaque.



# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

## FINANCE DEPARTMENT

Emergency Communications/911, 575 S.10th St, Lincoln, NE 68508, 441-7005, fax 476-0528

**FOR IMMEDIATE RELEASE:** April 12, 2005

**FOR MORE INFORMATION:** Julie Righter, Communications Manager, 441-7252

## 911 CENTER SEEKS RE-ACCREDITATION

*Assessment team invites public comment*

The Lincoln Emergency Communications/911 Center is seeking re-accreditation by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA). Communications Manager Julie J. Righter said a team of assessors will arrive in Lincoln April 23 to examine all aspects of the Center's policies, procedures, management and operations.

"In 2002, we became the fourteenth Center in the country to meet CALEA's state of the art standards," said Righter. "Although this is a voluntary process, we feel it is a very important recognition of public safety communications excellence. Accreditation provides official recognition of the dedication and hard work of the professionals at our Center who work tirelessly 24 hours a day, seven days a week to assist our community in emergency situations.

As part of the on-site assessment, agency employees and members of the community are invited to offer comments during a public information call-in from 1 to 5 p.m. Monday, April 24. Telephone comments are limited to 10 minutes and must address the agency's ability to comply with CALEA standards. Those wishing to participate should call (402) 326-0807 during that time to speak with an assessor. A copy of the standards is available at the Lincoln Emergency Communication Center, 575 South 10th Street. Local contacts are Linda Thurber and Linda Flaherty, Co-Accreditation Managers, and they can be reached at (402) 441-6000.

Accreditation is for three years, and the agency must submit annual reports. Righter said the Center has had to comply with more than 200 rigorous standards in order to maintain its accredited status.

"The assessment team is composed of communications and law enforcement practitioners from similar but out-of-state agencies," said Stephen Mitchell, the Accreditation Program Manager for the Lincoln Emergency Communications Center. He said the assessors will review written materials, interview individuals and visit offices and other places where compliance can be witnessed. After their review, the assessors report to the full Commission, which then decides if the agency will maintain accredited status.

Those wishing to offer written comments about the Center's ability to meet the standards for accreditation are asked to write to CALEA, 10306 Eaton Place, Suite 320, Fairfax, Virginia, 22030-2201. CALEA also may be reached at (800) 368-3757 or (703) 352-4225.



CITY OF LINCOLN  
NEBRASKA

# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

## FINANCE DEPARTMENT

Emergency Communications/911, 575 S.10th St, Lincoln, NE 68508, 441-7005, fax 476-0528

### **NOTE: DATE CORRECTED IN THIRD PARAGRAPH**

**FOR IMMEDIATE RELEASE:** April 12, 2005

**FOR MORE INFORMATION:** Julie Righter, Communications Manager, 441-7252

### **911 CENTER SEEKS RE-ACCREDITATION**

*Assessment team invites public comment*

The Lincoln Emergency Communications/911 Center is seeking re-accreditation by the Commission on Accreditation for Law Enforcement Agencies, Inc. (CALEA). Communications Manager Julie J. Righter said a team of assessors will arrive in Lincoln April 23 to examine all aspects of the Center's policies, procedures, management and operations.

"In 2002, we became the fourteenth Center in the country to meet CALEA's state of the art standards," said Righter. "Although this is a voluntary process, we feel it is a very important recognition of public safety communications excellence. Accreditation provides official recognition of the dedication and hard work of the professionals at our Center who work tirelessly 24 hours a day, seven days a week to assist our community in emergency situations."

As part of the on-site assessment, agency employees and members of the community are invited to offer comments during a public information call-in from 1 to 5 p.m. **Sunday**, April 24. Telephone comments are limited to 10 minutes and must address the agency's ability to comply with CALEA standards. Those wishing to participate should call (402) 326-0807 during that time to speak with an assessor. A copy of the standards is available at the Lincoln Emergency Communication Center, 575 South 10th Street. Local contacts, Linda Thurber and Linda Flaherty, Co-Accreditation Managers, can be reached at 441-6000.

Accreditation is for three years, and the agency must submit annual reports. Righter said the Center has had to comply with more than 200 rigorous standards in order to maintain its accredited status.

"The assessment team is composed of communications and law enforcement practitioners from similar but out-of-state agencies," said Stephen Mitchell, the Accreditation Program Manager for the Lincoln Emergency Communications Center. He said the assessors will review written materials, interview individuals and visit offices and other places where compliance can be witnessed. After their review, the assessors report to the full Commission, which then decides if the agency will maintain accredited status.

Those wishing to offer written comments about the Center's ability to meet the standards for accreditation are asked to write to CALEA, 10306 Eaton Place, Suite 320, Fairfax, Virginia, 22030-2201. CALEA also may be reached at (800) 368-3757 or (703) 352-4225.



**CITY OF LINCOLN  
NEBRASKA**

**MAYOR COLEEN J. SENG**

lincoln.ne.gov

Office of the Mayor  
555 South 10th Street  
Suite 208

Lincoln, Nebraska 68508

402-441-7511

fax: 402-441-7120

mayor@ci.lincoln.ne.us

April 12, 2005

Rick Meyer  
4120 Linden Street  
Lincoln, NE 68516

Dear Mr. Meyer :

Thank you for taking the time to contact Mayor Seng and the Lincoln City Council about the return of one of the cats seized by Animal Control from your home. The Mayor has asked that I assist you. As Ombudsman (or Citizen Advocate) for the City, it is my job to see that you receive responsible, courteous service from all departments of City government.

During our phone conversation on April 8, you indicated that you have secured legal counsel with regard to your allegations that the cat you indicated you had wished to have returned to you was not the same one held by Capital Humane Society pending the clean-up of your property.

Since you have gotten an attorney to represent you in this matter, the case must be handled on an attorney-to-attorney basis. I have been advised by Assistant City Attorney, James Faimon, that all contact must come through your attorney to the legal counsel for the Humane Society or to the City Attorney.

I regret that the City is unable to assist you further or to speak to you directly about your allegations. I appreciate the effort you made in bringing your concerns to the attention of the Mayor's office.

Sincerely,

Lin Quenzer  
Ombudsman

cc: Coleen J. Seng, Mayor of Lincoln  
Lincoln City Council  
James Faimon, Assistant Lincoln City Attorney  
Bruce Dart, Lincoln/Lancaster Health Dept., Director  
Jim Weverka, Manager, Animal Control Division, Lincoln/Lancaster Health Dept.  
Bob Downey, Capital Humane Society, Director

# Washington Report

Vol. 11 No. 8  
April 8, 005

City of Lincoln -- Washington Office

## Congress Returns For Seven-Week Stretch

### INSIDE

Congress .....	1
Energy .....	1
Homeland Security .....	2
Public Safety .....	3
Grant Opportunities .....	3

### Congress

Congress prepares for its longest stretch of legislating of the year. Members returned to Washington this week after a two-week Spring recess with a number of high-profile items waiting for them. However, the week was cut short to accommodate those attending funeral services in Rome for Pope John Paul II.

The seven week period between the Spring recess and the Memorial Day recess slated to begin on May 28 marks Congress' longest planned work period for this congressional session. During that time, Republican leadership in the House hopes to approve a laundry list of items that includes the FY 2006 budget resolution, welfare reauthorization, bankruptcy legislation, a comprehensive energy bill, and tort reform.

Senate leaders were slightly less ambitious, but those in the more deliberative chamber would like to complete as much work as possible during this long stretch, including a transportation reauthorization bill, supplemental FY 2005 appropriations for overseas military efforts, and possibly some judicial nominees.

Since Senate Majority Leader Bill Frist (R-TN) has not formally provided any floor time to debate the transportation bill, most observers do not expect Congress to pass the measure before the current extension of the 1998 TEA-21 law expires on May 31. Frist has indicated that the bill would not be debated on the floor until late April, at the earliest.

Those wishing to see any of their legislation approved this year are pressing for floor debate in the Senate as soon as possible, as there is growing recognition that without some compromise on judicial nominating procedures, activity in the Senate will grind to a halt.

### Energy

House panel begins consideration of comprehensive energy bill. The House Energy and Commerce Committee began consideration of unnumbered comprehensive energy legislation this week. The markup is expected to continue throughout next week as Committee members work their way through more than 80 amendments.

At the same time, the House Ways and Means Committee announced that they will mark up the tax title of the bill next week as part of an effort to get the bill through the House before lawmakers focus their attention on appropriations bills. House Resources Committee Chairman Richard Pombo (R-CA) also announced that his Committee will consider its portion of the bill, which includes a controversial provision to allow oil drilling in the Arctic National Wildlife Refuge (ANWR), next week.

The Energy and Commerce Committee completed work on Title I of the bill, which addresses energy efficiency, during its meeting this week and will work on the remaining 15 titles next week. In general, the bill largely tracks comprehensive energy legislation (HR 6) that the House passed last year. However, the bill includes several new provisions that have drawn fire from Democrats.

Most notably for local governments, the bill includes language that would give the Federal Energy Regulatory Commission (FERC) authority to override state and local objections to the construction of liquefied natural gas terminals. The language arises out of state and local objections that have stymied construction of such a terminal at the Port of Long Beach in California and over efforts to close one in Massachusetts. The terminals are unpopular because the process of unloading liquefied natural gas from tankers and processing it into gas is extremely dangerous. Supporters of the

### Washington Report

Carolyn C. Chaney  
Washington Assistant  
chaney@capitaleedge.com

Christopher F. Giglio  
giglio@capitaleedge.com

Elizabeth Montgomery  
montgomery@capitaleedge.com

1212 New York Avenue, NW  
Suite 250  
Washington DC 20005

(202) 842-4930  
Fax: (202) 842-5051

language argue that it is needed to meet rising demand for natural gas as North American supplies dwindle.

These contentious provisions join the now perennial debate over whether to provide liability relief to the producers of the gasoline additive methyl tertiary butyl ether (MTBE). Used as a gasoline additive to help meet clean air goals, MTBE has contaminated drinking water supplies throughout the country. The resulting debate over who should be held responsible for addressing the problem, which is expected to cost billions, was largely responsible for Congress's failure to pass energy legislation last year.

In its electricity title, the bill is generally similar to last year's bill. Of concern to local governments, it includes language that would give FERC eminent domain authority to site interstate electricity transmission lines in areas identified by the Department of Energy as "critical transmission congestion pathways."

On the issue of electricity reliability, the bill calls for mandatory reliability standards to be promulgated by regional electric reliability organizations that would have the power to levy fines for failure to meet those standards. It also includes language, known in industry circles as "FERC-lite," that would require all unregulated transmitting utilities with annual sales of more than 4 million megawatt hours of electricity to provide open access to their transmission facilities at rates and under terms and conditions comparable to those they impose on themselves. Utilities with transmission lines that are not part of an interconnected grid would be exempt and the bill includes language that clearly states the provision is not intended to require membership in a regional transmission organization (RTO).

The bill also includes language that would bar FERC from finalizing a proposed rule, dubbed "Standard Market Design," before October 31, 2006 and require FERC to submit a second notice of proposed rulemaking before issuing a final rule. Lawmakers from the Pacific Northwest and

the Southeast, whose regions generally enjoy cheap electricity, oppose the rule, fearing that it will lead to increased export of electricity generated in their region to other parts of the country.

It would also repeal the Public Utility Holding Company Act of 1935 (PUHCA). Enacted in the wake of a scandal resulting from large scale market power abuses by electricity holding companies, PUHCA imposes limits on the non-utility activities and geographic reach of utility holding companies in an effort to prevent cross-subsidization of non-electricity activities at the expense of consumers. Proponents of PUHCA repeal argue that the law is outdated and stymies investment in transmission and generation infrastructure. Opponents argue that PUHCA repeal without stringent consumer protections opens the door to new abuses and future scandals.

The House leadership wants to complete work on the bill by mid-May. However, lawmakers may have a hard time meeting that ambitious schedule.

In the Senate, Energy and Natural Resources Committee Chairman Pete Domenici (R-NM) and Committee Ranking Democrat Jeff Bingaman (D-NM) say that they continue to work on a bill and hope to begin consideration soon. Many energy lobbyists fear that any delay will mean that the bill will become sidetracked by Senate debates on judicial nominations. The delay combined with continued disagreement over MTBE and the opposition of environmental groups might mean another tough year for comprehensive energy legislation.

## Homeland Security

Senate panel to address homeland security grant formulas next week. The Senate Government Affairs Committee plans to markup legislation (S 21) next week that would alter the manner in which federal homeland security funds are distributed.

Committee Chairman Susan Collins (R-ME) is said to be working on a plan that she hopes would represent a compromise between those who insist on formula changes to provide funds based on threat potential and those who believe that each state should receive a minimum amount of funds. Grants are currently distributed using a "small state minimum" which results in per capita distributions for states with few perceived threats like Wyoming (\$38) being much higher than states that appear to be more vulnerable such as California (\$5).

Reports are that the Collins bill will lower the small state minimum from 0.75 percent to 0.55 percent but would also allow for all states to receive additional funds on top of that minimum. It would not go as far as the proposal from House Homeland Security Committee Chairman Christopher Cox (R-CA), which would create a strict 0.25 percent small state minimum (higher for those with an international border). Last year, Collins proposed a plan that would have also reduced the amount of funds in the Urban Area Security Initiative (UASI), a discretionary program based on threat, and increased the level of the formula grant program, which Cox vehemently opposed. It is unclear if Collins will propose this again next week.

The White House has indicated its support for the Cox plan. However, in addition to representing a so-called "small state," Collins must work harder to achieve compromise in the Senate, where smaller states wield significantly more influence.

## Public Safety

House panel takes up gangs issue. The House Judiciary Subcommittee on Crime, Terrorism, and Homeland Security held a hearing on HR 1279, the "Gang Deterrence and Community Protection Act" on Tuesday.

This legislation would authorize increased federal funding up to \$100 million over five years to support federal, state, and local law enforcement efforts against violent gangs. It would also enable law enforcement agencies to share intelligence and jointly prosecute violent gangs. Federal penalties for violent gang crimes would be increased, including the death penalty, or life in prison for gang-related murders. The bill would also allow certain juveniles accused of gang-related crime to be tried as adults.

The bill would authorize \$67.5 million a year for law enforcement and additional attorneys in "high intensity interstate gang activity areas." It would also authorize \$20 million a year for grants to bolster local prosecution in such areas.

Testifying in support of the bill, Patrick Fitzgerald, the US Attorney for the Northern District of Illinois, described the difficulties his office faces in prosecuting gang members and said that HR 1279 would give him valuable tools in his efforts to combat gang violence.

Paul Logli, State's Attorney for Winnebago County, Illinois and President-elect of the National District Attorneys Association, also testified in support of the bill, saying that the threat of federal prosecution often spurs gang members to cooperate with local investigations.

The mark-up for the bill was originally scheduled to directly follow the hearing, but was postponed. Senators Feinstein (D-CA) and Hatch (R-UT) have introduced a similar bill in the Senate for the past few years.

## Grant Opportunities

**Department of Commerce, March 24:** The Market Development Cooperator Program (MDCP) is a competitive matching grants program that builds public/private partnerships by providing federal assistance to non-profit export multipliers such as states, trade associations, chambers of commerce, world trade centers and other non-profit industry groups that are particularly effective in reaching small- and medium-size enterprises (SME's). MDCP awards help to underwrite the start up costs of new export marketing ventures which these groups are often reluctant to undertake without Federal support. The program is funded at \$2,000,000 and the nine expected awards have a ceiling of \$400,000. All applications must be received by 5 pm EST on April 25, 2005. Please see [www.ita.doc.gov/td/mdcp/](http://www.ita.doc.gov/td/mdcp/) for more details and a link to the full grant announcement.

**Department of Health and Human Services, March 25:** The Office of Population Affairs (OPA) announces the availability of approximately \$4,000,000 to support ten Family Planning General Training and Technical Assistance projects, as authorized under section 1003 of the Public Health Service (PHS) Act. The Office of Population Affairs solicits applications for competing grant awards to support one general training center in each of the ten HHS regions. Estimated total program funding is \$4,000,000 and there are ten expected awards. There is no match requirement. Applications are due May 24, 2005. For more information and the link to the full announcement, please see: [https://egrants.osophs.dhhs.gov/egrants/home\\_frame.htm](https://egrants.osophs.dhhs.gov/egrants/home_frame.htm).

**Department of Housing and Urban Development, March 31:** The Office of Public and Indian Housing announced the availability of funds for the Revitalization of Severely Distressed Housing HOPE VI Grants. The purpose of HOPE VI revitalization grants is to assist Public Housing Authorities (PHAs) to: 1. Improve the living environment for public housing residents of severely distressed public housing projects through the demolition,

rehabilitation, reconfiguration, or replacement of obsolete public housing projects (or portions thereof); 2. Revitalize sites (including remaining public housing dwelling units) on which such public housing projects are located and contribute to the improvement of the surrounding neighborhood; 3. Provide housing that will avoid or decrease the concentration of very low-income families; and 4. Build sustainable communities. Estimated total program funding is \$135 million. Applications are due June 29, 2005. For more information and the link to the full announcement, please see:

[www.hud.gov/offices/pih/programs/ph/hope6/grants/fy05/revital.pdf](http://www.hud.gov/offices/pih/programs/ph/hope6/grants/fy05/revital.pdf).

**Department of Health and Human Services, March 31:** The Linking Adolescents at Risk to Mental Health Services Grant Program (Adolescents at Risk) is one of SAMHSA's Service-to-Science Grants programs. The purpose of the Adolescents at Risk program is to evaluate voluntary school-based programs that focus on identification and referral of high school youth who are at risk for suicide or suicide attempts. Grant funds may not be used to pay for direct treatment services. Program funding is estimated at \$1,877,000 with 8 expected awards. The award ceiling is \$250,000 and there is no required match. Applications are due June 1, 2005. For a more information and a link to the application, please see: [www.samhsa.gov/grants/2005/nofa/sm05\\_019\\_risk.aspx](http://www.samhsa.gov/grants/2005/nofa/sm05_019_risk.aspx).

**Department of Health and Human Services, April 1:** The Executive Office of the President, Office of National Drug Control Policy (ONDCP), and the Substance Abuse and Mental Health Services Administration (SAMHSA) announce the availability of funds for Drug Free Communities Support Mentoring Program (DFC Mentoring) grants. The purpose of the DFC Mentoring Program is to support and encourage the development of new, self-supporting, community anti-drug coalitions that are focused on the prevention of substance abuse in the new coalition's community. Applicants may propose to assist one or more communities

in efforts to begin coalition operations or to expand or strengthen the operations of coalitions. Estimated total program funding is \$2,900,000 and there will be an award ceiling of \$75,000 for the expected 39 awards. Applications are due May 31, 2005. For more information and a link to the full announcement, please see:

[www.samhsa.gov/grants/2005/nofa/sp05003two\\_dfc.aspx](http://www.samhsa.gov/grants/2005/nofa/sp05003two_dfc.aspx).

**Department of Education:** The Department of Education, in collaboration with the Departments of Health and Human Services and Justice, is accepting applications for the FY 2005 Safe Schools/Healthy Students Initiative grant. Local education agencies, partnered with local law enforcement, public mental health, and juvenile justice agencies, are eligible for funds to implement an enhanced, coordinated, comprehensive plan of activities, programs, and services that focus on promoting healthy childhood development and preventing violence and substance abuse. Applicants who have not received prior funds under this initiative are eligible for a maximum three-year award of \$2 million per year in suburban areas and \$3 million per year in urban areas. There is no required match. Applications are due April 29, 2005. For more information, see: [http://media.shs.net/sshs/applications/SS\\_HS2005App.pdf](http://media.shs.net/sshs/applications/SS_HS2005App.pdf).

**Environmental Protection Agency:** The EPA announced funding available for a new grant program known as Community Action for a Renewed Environment (CARE). The program aims to empower communities to form self-sustaining community partnerships to understand and reduce risks from toxics (anything causing negative health or environmental impacts) leading to long-term improvements in local environments. Projects may focus on, but are not limited to, clean air, clean water, land preservation, and environmental stewardship. Applicants should apply under one of two levels. Level one includes cooperative agreements supporting the formation of community partnerships, the comprehensive understanding of toxics, and the establishment of risk reducing priorities. Level two supports risk-

reduction projects in the community, and level two applicants need not have qualified for level one prior to application. Approximately six level one agreements for an average of \$75,000 and approximately four level two agreements for an average of \$275,000 will be awarded, both for two-year project periods. There is no required match, but the ability for level two applicants to leverage non-federal funds will be considered. Initial proposals are due May 20, 2005. For more information, see:

[www.epa.gov/air/grants/05-08.pdf](http://www.epa.gov/air/grants/05-08.pdf).

**Department of Education, April 6:** The Office of Safe and Drug-Free Schools is accepting applications for *Grants for the Integration of Schools and Mental Health Systems*. The grant is intended to promote new and innovative linkages between school systems and mental health systems that increase student access to high-quality mental health care. Successful applicants must develop a project which improves or develops collaboration between school systems and mental health systems to improve student services, enhance crisis intervention services and appropriate student referrals, provide technical assistance and consultation to project partners and families, provide linguistically appropriate and culturally sensitive services, and evaluate the effectiveness of the program and provide recommendations on sustainability. State and local educational agencies are eligible to apply. From a total of \$5 million, the Office expects to award twenty grants averaging \$250,000. There is no required match, but services provided by the mental health system must supplement and not supplant existing services. The project period is eighteen months. Applications are due April 5, 2005. (Federal Register 17422-17425)

**National Endowment for the Arts:** The NEA has issued its guidance for the *Summer Schools in the Arts* grant program. Funds will be awarded for programs that provide regular, comprehensive summer instruction in one or more arts disciplines including regular creation, performance, and response to art. Instruction must culminate in a public performance or

demonstration of the art, and there must be an assessment of what the students have gained over the summer. The program targets students age five to eighteen for a summer program in 2006. Local governments which have a history of arts education are eligible to apply. NEA anticipates funding up to fifty grants of between \$15,000 and \$35,000. There is a required match of 100 percent. A statement of interest is due May 23, 2005. For those requested to submit a final application, the deadline is September 12, 2005. See: [www.nea.gov/grants/apply/SummerSchools.html](http://www.nea.gov/grants/apply/SummerSchools.html).

**Publication, Department of Homeland Security, April 1:** DHS announced the publication of the *Interim National Preparedness Goal*. In an effort to better determine the best means to prepare for disasters, emergencies, and terrorist attacks, the Goal establishes national priorities, targets, and a common approach to meeting these targets. Federal agencies, states, and localities should align their initiatives with these priorities, especially when applying for emergency preparedness grant funding through the Department of Homeland Security. The Goal can be found at:

[www.ojp.usdoj.gov/odp/assessments/hs\\_pd8.htm](http://www.ojp.usdoj.gov/odp/assessments/hs_pd8.htm).

**Publication, Government Accountability Office:** The Government Accountability Office published its report *Elderly Housing: Federal Housing Programs That Offer Assistance for the Elderly*. The study was designed to identify sources of funding for low-income senior citizens age 62 and older, measure the effectiveness of the programs, and identify sources of overlap and duplication among the programs. The elderly are eligible for twenty-three federal housing programs according to the report, which also found that the programs do not reach significant populations of the needy. The complete report can be found at: [www.gao.gov/new.items/d05174.pdf](http://www.gao.gov/new.items/d05174.pdf).

**Department of Homeland Security:** FEMA has introduced an online introductory course (IS 317) for individuals interested in Community Emergency Response Teams

(CERT) and for those who need a refresher. The course is designed in six modules for self-directed study. The online course should make information on the program more accessible, however it does not replace the classroom study requirement for CERT volunteers. For more information, see:

<http://training.fema.gov/EMIWeb/IS/is317.asp>.

**Award:** The Kennedy School of Government at Harvard University is accepting applications for the Ash Institute's 2006 Innovations in American Government Awards. The program awards exemplary examples of government's innovative programs to address public needs. All units of government are eligible to apply for programs throughout the scope of government activity. Programs are analyzed based on their novelty, effectiveness, significance, and transferability. Applications are due by September 15, 2005, and then are narrowed through a cycle of five rounds to five winners, which each receive a grant of \$100,000. Information and the application may be found at:

[www.ashinstitute.harvard.edu/Ash/awards.htm](http://www.ashinstitute.harvard.edu/Ash/awards.htm).

**Award:** The Administration on Aging and the Center for Home Care Policy and Research announced the *Models of Livable Communities for All Ages in the U.S.* competition to recognize localities taking great strides to maximize choice, independence, security, and inclusiveness in their community. The award targets local and county governments that have established one or more of the following sustainable, replicable, effective, and innovative programs: affordable and accessible housing; affordable, accessible, safe, and interconnected transportation; inclusive and accessible environments; work, education and volunteer opportunities; access to health and supportive services; and citizen-participation in civic affairs and cultural events. The deadline is May 2, 2005, and more information can be found at:

[www.vnsny.org/research/aoacompetition/](http://www.vnsny.org/research/aoacompetition/).

**Award:** Applications are now being accepted for the Environmental Protection Agency's National Award for Smart Growth Achievement. State and local governments which have incorporated the principles of smart growth that respect community culture and the environment, foster economic development, and enhance the quality of life and public health between May 19, 2000 and 2005 are eligible to apply. Applications should be submitted in one of the following categories: built projects, policies and regulations, small communities, military base redevelopment, and overall excellence in smart growth. Applications are due May 18, 2005. Successful applicants will be recognized at ceremony in Washington, DC in November 2005. For more information, see:

[www.epa.gov/smartgrowth/awards.htm](http://www.epa.gov/smartgrowth/awards.htm).

**RESOLUTION NO. A-\_\_\_\_\_**

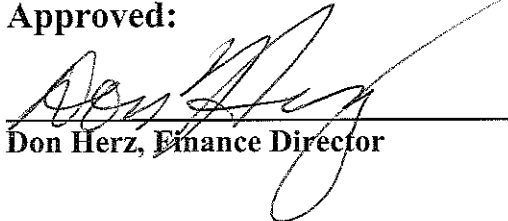
**BE IT HEREBY RESOLVED BY THE CITY COUNCIL** of the City of  
Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City  
Treasurer is hereby directed to hold said investments until maturity unless  
otherwise directed by the City Council.

**INTRODUCED BY:**

\_\_\_\_\_

**Approved:**

  
\_\_\_\_\_  
Don Herz, Finance Director

Approved this \_\_\_\_ day of \_\_\_\_\_, 2005

\_\_\_\_\_  
Mayor

**FINANCE DEPARTMENT  
TREASURER OF LINCOLN, NEBRASKA  
INVESTMENTS PURCHASED  
MARCH 14 thru APRIL 1, 2005**

March 14, 2005, we cashed \$1,725,000 from the Repurchase Agreement at Wells Fargo Bank. We then invested \$2,050,000 in the First American Government Obligation Fund at U.S. Bank in the Short Term Fund.

Due to a surplus of funds in the Short Term Pool, on March 15, 2005, we invested \$1,985,000 as follows:

\$10,000	Nebraska Public Agency Investment Trust at Union Bank
\$1,975,000	Repurchase Agreement at Wells Fargo Bank

March 16, 2005, an investment of \$5,000,000 matured for the Short-Term pool, we immediately cashed it and invested \$4,975,000 as follows:

\$15,000	Nebraska Public Agency Investment Trust at Union Bank
\$250,000	Repurchase Agreement at Wells Fargo Bank
\$4,710,000	First American Government Obligation Fund at U.S. Bank

March 17, 2005, we cashed \$275,000 from the Repurchase Agreement at Wells Fargo Bank in the Short-Term pool. We then invested \$257,000 as follows:

\$212,000	First American Government Obligation Fund at U.S. Bank
\$45,000	Nebraska Public Agency Investment Trust at Union Bank

March 21, 2005, we cashed \$1,856,000 from the First American Government Obligation Fund at U.S. Bank, in the Short Term Pool. We then invested \$100,000 in the Repurchase Agreement at Wells Fargo Bank.

Due to a surplus of funds in the Short Term Pool, on March 22, 2005, we invested \$4,207,000 as follows:

\$4,150,000	Repurchase Agreement at Wells Fargo Bank
\$12,000	First American Government Obligation Fund at U.S. Bank
\$45,000	Nebraska Public Agency Investment Trust at Union Bank

March 23, 2005, we cashed funds from the Nebraska Public Agency Investment Trust at Union Bank and from the Repurchase Agreement at Wells Fargo Bank from the Short-Term fund and invested \$6,050,000 in the following:

\$1,120,000	Investment Repurchase Agreement at Bayerische Landebank to mature December 1, 2015, yielding 4.51% for the Antelope Valley Bond Reserve Funds
\$1,540,000	Investment Repurchase Agreement with AIG Matched Funding Corp. to mature August 15, 2022, yielding 4.6% for the 2002 Water Revenue Bond Reserve Funds
\$3,390,000	Investment Repurchase Agreement with AIG Matched Funding Corp. to mature August 15, 2025, yielding 4.7% for the 2004 Water Revenue Bond Reserve Funds

An investment matured in the Medium-Term pool for \$2,000,000, we immediately cashed this investment and invested in a Certificate of Deposit maturing March 23, 2006 at a rate of 3.76%.

March 24, 2005, an investment matured in the Medium-Term pool for \$2,000,000, we immediately cashed this investment and invested in a Certificate of Deposit maturing March 24, 2006, at a rate of 3.76%.

In the Short-Term pool, we cashed \$280,000 from the First American Government Obligation Fund at U.S. Bank and \$950,000 from the Repurchase Agreement at Wells Fargo Bank. We then invested \$40,000 in the Nebraska Public Agency Investment Trust at Union Bank.

March 25, 2005, an investment for Short-Term pool matured for \$3,000,000, we cashed this investment and invested \$847,000 in the First American Government Obligation Fund at U.S. Bank.

In the Short-Term pool, March 28, 2005, we cashed \$513,000 from the First American Government Obligation Fund at U.S. Bank and \$850,000 from the Repurchase Agreement at Wells Fargo Bank. We then invested \$10,000 in the Nebraska Public Agency Investment Trust at Union Bank.

Due to a surplus in funds in the Short-Term Pool, on March 29, 2005, we invested \$279,000 as follows:

\$150,000	Repurchase Agreement at Wells Fargo Bank
\$129,000	First American Government Obligation Fund at U.S. Bank

Due to a surplus in funds in the Short-Term Pool, on March 30, 2005, we invested \$344,000 as follows:

\$250,000	Repurchase Agreement at Wells Fargo Bank
\$39,000	First American Government Obligation Fund at U.S. Bank
\$55,000	Nebraska Public Agency Investment Trust at Union Bank

March 31, 2005, an investment of \$5,000,000 matured for the Short-Term pool, we immediately cashed it and invested \$1,188,000 as follows:

\$925,000	Repurchase Agreement at Wells Fargo Bank
\$263,000	First American Government Obligation Fund at U.S. Bank

April 1, 2005, an investment of \$2,000,000 matured for the Medium-Term pool, we immediately cashed it and added to it and invested \$2,015,000 in the Nebraska Public Agency Investment Trust at Union Bank for the Short-Term pool.

In the Short-Term pool, we cashed \$825,000 from the Repurchase Agreement at Wells Fargo Bank and invested \$308,000 in the First American Government Obligation Fund at U.S. Bank.

We respectfully request approval of our actions.

  
 Don Herz, Finance Director

  
 Melinda J. Jones, City Treasurer



# NEWS RELEASE

MAYOR COLEEN J. SENG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
3140 N Street, Lincoln NE 68510 • Phone: 441-8000  
Fax: 441-8323 or 441-6229

**FOR IMMEDIATE RELEASE:** April 11, 2005

**FOR MORE INFORMATION:** Harry Heafer, 441-8035 or Gene Hanlon, 441-7043

## 18<sup>th</sup> ANNUAL LINCOLN & LANCASTER COUNTY ENVIRONMENTAL AWARDS

The 18<sup>th</sup> annual Lincoln-Lancaster County Environmental Awards Banquet will be held on Friday, April 22, at the Plaza Conference Center, Bryan-LGH East at 48<sup>th</sup> & Vine. The program will begin at 7:00 p.m. with entertainment from the Fifth Grade Sheridan Singing Sharks with the banquet and awards following. Reservations are \$15 per person and may be made by calling 441-8035. Reservation deadline is April 15.

The awards event will recognize businesses, organizations and individuals for their efforts to protect the environment and conserve our resources. Eleven people, groups or businesses will receive recognition this year in five different categories. The award recipients and categories include:

**Waste Reduction and Recycling:** Randy Warner-Warner Enterprises, Huntington Elementary School, The Blue & White Crew-Lincoln East High School; **Water Conservation:** St. John's Catholic Church & School; **Cleanup and Beautification:** Heritage Nursery West, Lincoln Cornhusker Kiwanis; **Residential/Commercial Construction:** Ken Inness-Skyline Homes, Inc., Richard L. Bredenkamp-Lincoln Federal Savings Bank; and **Environmental Education/Awareness:** Tracie Chapo, Jen Carlson-Straw Sticks & Bricks. A short presentation on award winners will highlight their accomplishments.

The Lincoln-Lancaster County Environmental Awards are co-sponsored by the Lincoln-Lancaster County Health Department and the Lincoln Public Works and Utilities Department with support from many generous donors.

###



cc: City Council  
Bill #05R-78  
Public Hearing: 4/18/05

April 11, 2005

Planning Department  
City of Lincoln  
575 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Waiver No. 05003  
(Park Place Estates 5<sup>th</sup> Addition)

Dear Sir

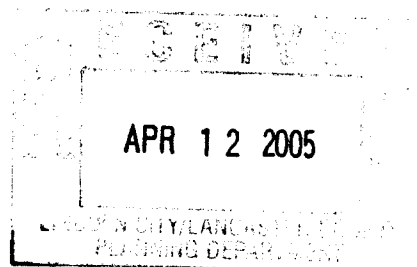
On March 30, 2005, the Lincoln City-Lancaster County Planning Commission held a public hearing on the above referenced waiver request and voted 9-0 to recommend approval of the waiver of sidewalk requirements abutting Lots 4 and 5, and denial of the waiver of street trees, landscape screen and ornamental lighting.

I will accept that determination, so do not wish to appear before the City Council for a public hearing on Monday, April 18, 2005, at 1:30 p.m. Please remove me from the agenda for that meeting.

Sincerely,

PARK PLACE DEVELOPMENT

Geanine Bordogna  
Owner





# CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

lincoln.ne.gov

Lincoln-Lancaster County  
Planning Department  
Marvin S. Krout, Director

Mary F. Bills-Strand, Chair  
City-County Planning Commission

555 South 10th Street  
Suite 213

Lincoln, Nebraska 68508

402-441-7491

fax: 402-441-6377

April 13, 2005

Lyle Loth

ESP

601 Old Cheney Rd. Suite "A"  
Lincoln, NE 68512

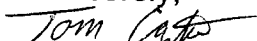
RE: Hartland Homes SW 4<sup>th</sup> Addition Final Plat #05018 Generally  
located at West "A" St. and SW 27<sup>th</sup> St.

Dear Lyle:

Hartland Homes SW 4<sup>th</sup> addition generally located southwest of West "A" St. and SW 27<sup>th</sup> St. was approved by the Planning Director on April 8, 2005. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,

  
Tom Cajka  
Planner

CC: Duane Hartman  
Joan Ray, City Council  
Dennis Bartels, Public Works & Utilities  
Terry Kathe, Building & Safety  
Sharon Theobald, Lincoln Electric  
File

I:\Boilerplates\Approval.wpd


**PLANNING COMMISSION FINAL ACTION**  
**NOTIFICATION**

**TO :** Mayor Coleen Seng  
Lincoln City Council

**FROM :** Jean Walker, Planning

**DATE :** April 14, 2005

**RE :** **Preliminary Plat No. 05004 - Mount Olive**  
(N. 80<sup>th</sup> Street and Holdrege Street)  
**Resolution No. PC-00919**



The Lincoln City-Lancaster County Planning Commission took the following action at their regular meeting on Wednesday, April 13, 2005:

Motion made by Krieser, seconded by Taylor, to approve **Preliminary Plat No. 05004, Mount Olive**, with conditions, requested by Olsson Associates on behalf of Mount Olive Evangelical Lutheran Church, for one church lot and eleven single family residential lots, on property generally located at North 80<sup>th</sup> Street and Holdrege Street.

Motion for approval, with conditions, carried 9-0: Carroll, Pearson, Marvin, Krieser, Sunderman, Carlson, Taylor, Larson and Bills-Strand voting 'yes'.

The Planning Commission action is final, unless appealed to the City Council by filing a Letter of Appeal with the City Clerk within 14 days of the date of the action by the Planning Commission.

**Attachment**

**cc:** Building & Safety  
Rick Peo, City Attorney  
Public Works  
Mark Palmer, Olsson Associates, 1111 Lincoln Mall, 68508  
John Schleich, 8644 Executive Woods Dr., 68512  
Mount Olive Evangelical Lutheran Church, 8001 Holdrege Street, 68505  
Meadowlane Area Residents Assn. (3)

RESOLUTION NO. PC-00919

1 WHEREAS, Mount Olive Evangelical Lutheran Church has submitted for acceptance  
2 and approval the preliminary plat of Mount Olive, generally located at N. 80th Street and  
3 Holdrege Street; and

4 WHEREAS, the Planning Director has recommended conditional approval of said  
5 preliminary plat as contained in pages 3 through 6 of the staff report prepared by Becky Horner,  
6 Planner, dated March 22, 2005, which is attached hereto as Exhibit A.

7 NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County  
8 Planning Commission that the preliminary plat of Mount Olive is hereby approved subject to the  
9 terms and conditions of Exhibit A which is attached hereto and made a part of this resolution as  
10 though fully set forth verbatim.

11 The foregoing Resolution was approved by the Lincoln City-Lancaster County  
12 Planning Commission on this 13 day of April, 2005.

ATTEST:

  
Chair

Approved as to Form & Legality:

  
Chief Assistant City Attorney

**CONDITIONS:**

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be signed by the Chair of the Planning Commission certifying approval: (NOTE: These documents and plans are required by ordinance or design standards.)
  - 1.1 Revise the preliminary plat to show:
    - 1.1.1 Indicate the purpose of Outlot A and that all outlots will be maintained by a homeowners association.
    - 1.1.2 Utility easements to the satisfaction of the LES.
    - 1.1.3 A park/trail/vegetation/mini-playground/open-space easement.
    - 1.1.4 Revisions to the satisfaction of the Watershed Management section of the Public Works and Utilities Department.
    - 1.1.5 Revisions to the satisfaction of the Public Works and Utilities Department.

General:

- 2 Final Plats will be approved by the Planning Director after:
  - 2.1 The sidewalks, streets, drainage facilities, street lighting, landscape screens, street trees, temporary turnarounds and barricades, and street name signs have been completed or the subdivider has submitted a bond or an escrow of security agreement to guarantee their completion.
  - 2.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
    - 2.2.1 to complete the street paving of public street shown on the final plat within two (2) years following the approval of this final plat.  
  
to complete the installation of sidewalks along both sides of N. 80<sup>th</sup> Street and along the south side of Holdrege Street as shown on the final plat within four (4) years following the approval of this final plat.

to complete the public water distribution system to serve this plat within two (2) years following the approval of this final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of this final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of this final plat.

to complete the enclosed private drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of this final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of this final plat.

to complete the installation of public street lights along Streets within this plat within two (2) years following the approval of this final plat.

to complete the installation of private street lights along Streets within this plat within two (2) years following the approval of this final plat.

to complete the planting of the street trees along streets within this plat within four (4) years following the approval of this final plat.

to complete the planting of the landscape screen within this plat within two (2) years following the approval of this final plat.

to complete the installation of the street name signs within two (2) years following the approval of this final plat.

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to complete the public and private improvements shown on the preliminary plat.

to retain ownership of or the right of entry to the outlots in order to maintain the outlots and private improvements on a permanent and continuous basis and to maintain the plants in the medians and islands on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating, in writing, a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the private improvements have been satisfactorily installed and the documents creating the association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

to continuously and regularly maintain the street trees along the private roadways and landscape screens.

to submit to the lot buyers and builders a copy of the soil analysis.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to protect the trees that are indicated to remain during construction and development.

to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

to relinquish the right of direct vehicular access from Lot 11, Block 2 and Lot 1, Block 1 to Holdrege Street.

Prepared by:

Becky Horner, 441-6373, [rhorer@lincoln.ne.gov](mailto:rhorer@lincoln.ne.gov)  
Planner

**DATE:** March 22, 2005

**APPLICANT:** John Schleich  
8644 Executive Woods Drive  
Lincoln, NE 68512  
(402)436-3444

**OWNER:** Mount Olive Evangelical Lutheran Church  
8001 Holdrege Street  
Lincoln, NE 68505  
(402)484-8711

**CONTACT:** Mark Palmer  
Olsson Associates  
1111 Lincoln Mall  
Lincoln, NE 68508  
(402)474-6311

# M e m o r a n d u m

**To:** Dave Kroecker, Mike Thew, Joe Rupp, Don Herz, Karl Fredrickson

**From:** Don Thomas, County Engineer *DAY*  
Roger A. Figard, City Engineer *RAF*

**Subject:** Joint Public Agency Creation

**Date:** April 8, 2005

**cc:** Mayor Seng, City Council, County Board, Ann Harrell, Marvin Krout, Dana Roper

RECEIVED  
APR 11 2005  
CITY COUNCIL  
OFFICE

At the last City-County Commons meeting held Monday, April 4, 2005, the County and City Engineers' offices were given clear direction to establish a group from the two entities with the specific purpose of creating a joint public agency. The purpose would be to provide funding for two specific activities, policies and projects that we presented to The Commons on that day. We presented the policy and philosophy of creating a Rural to Urban Roadway Transition Program called RUTS and the need for corridor protection, design and right-of-way acquisition for the East Beltway. The joint public entity's purpose is to provide the funding ability to pay for the extra cost associated for the County to implement the RUTS Program. The second directed priority of that revenue would be to provide the resources to buy right-of-way to protect the East Beltway Corridor. Our assumption is that the East Beltway Corridor Protection would be filed perhaps by the present MPO.

We respectfully request that the City and County Attorneys' offices work to together with the intent of attending a meeting that is being scheduled with a proposed draft, document and language that would be necessary to create this joint public agency. We might suggest this agency be called Joint Transportation Agency (JTA) with those two primary responsibilities or directed financial activities.

We do believe it will still be necessary for the City and the County to enter into an interlocal agreement that relates to RUTS and the concurrence that the RUTS policy and philosophy would be implemented by the County and funded through resources through the joint agency.

We also would request that each of you being invited to this meeting come prepared to include the necessary details or circumstances that pertain to your areas of authority, interest and concerns as it would relate to the creation and funding authority of this entity.

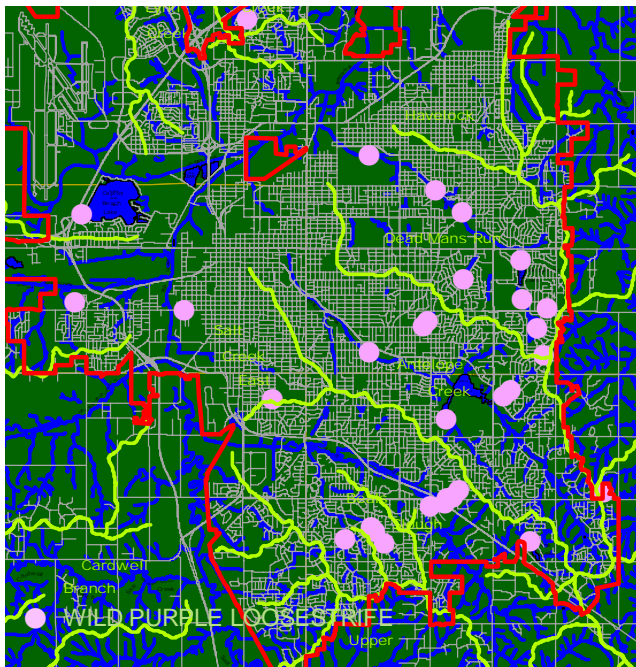
Our goal would be to be able to go back to the Commons meeting the first week of May to give them an update of our status and what has been accomplished thus far in the creation of this agency.

Please feel free to contact either of us with your questions or concerns. Don can be reached at 441-7681 and Roger at 441-7567. Thank you in advance for your assistance and attention to this fairly aggressive work assignment that we have been given by our elected officials.

# Combined Weed Program City of Lincoln March 2005 Monthly Report

## Wild Purple Loosestrife

A meeting was held with Lower Platte NRD staff to make plans for inspecting drainages in the City of Lincoln for wild purple loosestrife plants. These are escape plants from ornamental plantings upstream. The Lower Platte South NRD will inspect portions of Deadman's Run, Antelope Creek, Beals Slough, Oak Creek and Salt Creek for which they have responsibility. They will control plants they find. The Authority staff will inspect other suspect drainages and



inform landowners of any wild purple loosestrife plants that are found. These landowners will be expected to control the plants.

## 2005 Weed Inspections

The 2005 weed inspections will begin on April 11. The first inspections will begin for musk thistle on sites with previous infestations. Inspections will then be made of the Union



Pacific, BNSF and OPPD railroads. Their contractors will be provided with maps of infestations for control. Inspections then will be made of the N 48<sup>th</sup> street and Bluff Road Landfill sites. We will then contract for the control needed. Weed Abatement inspections will begin the first part of May.

## March Activities

- 10 SE NACO Meeting
- 11 Vacation
- 17 Lower Loup NRD
- 22 Phragmites meeting, Grand Island
- 24 LPWMA Meeting
- 25 FY2002 budget to B&F Division
- 27 Publish general notice
- 31 Meeting with NRD

## April Activities

- 6 Meeting with Cass County
- 11 Musk thistle inspections begin
- 14 Mgt Team Mtg
- 19-20 Spring spray seminar Hastings
- 21 LPWMA Meeting
- 30 Monthly activity report



**joncampcc@aol.com**

04/13/2005 03:59 PM

To: jray@ci.lincoln.ne.us  
cc: droper@ci.lincoln.ne.us  
Subject: Fwd: smoking ban - theatres

Joan:

Please distributed to my colleagues. I was surprised that this exemption was not included.

Jon

Jon Camp

Office: 402-474-1838  
Home: 402-489-1001  
Cell: 402-560-1001  
Email: JonCampCC@aol.com

-----Original Message-----

From: Bob Rook <bob@tadaproductions.info>  
To: Jon Camp <JonCampCC@aol.com>  
Sent: Tue, 12 Apr 2005 13:53:51 -0700  
Subject: smoking ban - theatres

Jon,  
I've gotten some calls over the Ron White thing at Pershing in the paper today...a couple from media too. Before I spoke to them and other theatre and arts leaders I wanted to get your take. It was mine and my fellow theatre colleagues understanding that there was an amendment for theatres in the smoking ban. With that understanding we voted for the ban. Now, as we are to understand it, with Mr. Ropers interp in today's paper, that this item was deleted from the version that was passed even though he himself thought it was in there. Can you tell me how the "amendment" that we all understood was in the bill that passed was deleted in the process? I appreciate it Jon.  
Bob

\*\*\*\*\*

Robert D. Rook  
Managing Artistic Director  
TADA Productions  
402-438-TADA (8232)  
The Magic of TADA [www.tadaproductions.info](http://www.tadaproductions.info)



**thouser3@cox.net**

04/11/2005 06:18 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate your action to protect Lincoln's workers, citizens,  
and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of  
Excellence. Lincoln is now a healthier community thanks to your  
leadership.

Sincerely,

tracy houser  
9114 westridge dr  
omaha, Nebraska 68124



**cwostrel@healtheduca  
tion.org**

04/11/2005 06:38 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

I'm so grateful for the action of the Lincoln city council supporting smokefree workplaces in our community. Lincoln residents and workers are now benefiting from a lower risk of heart attack and cancer, thanks to the efforts of the Lincoln city council and the voters of Lincoln.

I appreciate the action of the city council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln city council.

Sincerely,

Cindy Wostrel  
PO Box 30676  
Lincoln, Nebraska 68503-0676



**ibeahuskerfan@aol.co  
m**

04/11/2005 08:02 PM

To: council@ci.lincoln.ne.us  
cc:  
Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Derek Effle  
5540 Warwick Ct  
Lincoln, Nebraska 68516



**stmarkley@aol.com**

04/11/2005 08:19 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke. College students will especially benefit by not being subjected to secondhand smoke in the bars.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership and courage of the Lincoln City Council. Omaha would benefit by learning from your leadership and example.

Sincerely,

Sandra Markley  
5080 So. 172nd Street  
Omaha, Nebraska 68135



tharris2@unl.edu

04/11/2005 08:29 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

I hadn't gone to a bar in Lincoln for a few years, mainly because of all the second-hand smoke in the air, but my girlfriend and I recently went to The Zoo Bar and intend on going again soon.

Thank you again!

Sincerely, Tim Harris

Sincerely,

Timothy Harris  
4832 Garland #9  
Lincoln, Nebraska 68504-2816



**bwiese@mail.unomaha  
.edu**

04/11/2005 10:07 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for Clean-Air in Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

I've enjoyed smoke free restaurants and pubs in much of California and Norway, yet still have faced unbearable smokey conditions at similiar places in Omaha and around Germany. At the main trainstation in Berlin, there is a McDonalds that allows smoking everywhere. I saw and experienced the smoke from a table full of people encompass the establishment, where just 6 feet away a 4 year old child begins coughing... and that is something I never wish to see in my home (city, state, country). Thank you for taking the first step, in bringing a clean air environment to our establishments as are already found in most public buildings. Thanks!

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Brian Wiese  
1726 Ave  
Plattsmouth, Nebraska 68048



**lmbarrett@hotmail.co  
m**

04/11/2005 10:31 PM

To: council@ci.lincoln.ne.us  
cc:  
Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Lisa Barrett  
4508 Walnut Street  
Omaha, Nebraska 68106



**kcinomaha@cox.net**

04/12/2005 02:39 AM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Katherine Creighton  
12906 Burt Street  
Omaha, Nebraska 68154



**lazarous.mbulo@hhss.  
ne.gov**

04/12/2005 07:37 AM

To: council@ci.lincoln.ne.us  
cc:  
Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council and the Lincoln Community to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Lazarous Mbulo  
P.O. Box 95044  
Lincoln, Nebraska 68509-5044



**bcoleman@regionsix.com**

04/12/2005 07:40 AM

To: council@ci.lincoln.ne.us  
cc:  
Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Becki Coleman  
6112 S. 136th Circle  
Omaha, Nebraska 68137



**stafolla2@cox.net**

04/12/2005 08:36 AM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Steve Tafolla  
3324 s 105 ave  
Omaha, Nebraska 68124



**VictoriaJohnson@com  
mercialfed.com**

04/12/2005 08:53 AM

To: council@ci.lincoln.ne.us  
cc:  
Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Vicki Johnson  
11298 s 200th st  
gretna, Nebraska 68028



erobbins90@hotmail.com

04/12/2005 09:02 AM

To: council@ci.lincoln.ne.us  
cc:  
Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Can you please help Omaha have the same distinction! I am a non-smoker that works in a smoking environment and go out at night in a smoking environment. I want to come home feeling like I have NOT smoke a pack myself!

Sincerely,

Erin Robbins  
5909 S 99th Ct #3A  
Omaha, Nebraska 68127




**Joan V Ray**

04/12/2005 09:04 AM

To: theprestige@msn.com

cc:

Subject: Re: Lincoln Council & Mayor Denounce Freedom of Choice! 

Dear Mr. Gish: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for sharing your perspective on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

theprestige@msn.com



**theprestige@msn.com**

04/11/2005 07:33 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Lincoln Council & Mayor Denounce Freedom of Choice!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

It is sad to see this country, giving in to the cry babies of the world! America the great was built on the back of the FREE Enterprise System and freedom of choice. Lincoln, NE has chosen to ignore those sturdy foundations by giving in to those that prefer a middle eastern dictator style of government!

The Lincoln city council, instead of requiring non-smokers to exercising their right of freedom of choice, have instead decided to tear away the rights of others and legislate "choice". Why should it be so difficult for non-smokers to simply not patronize businesses that do not cater to them??

Instead of suggesting to non-smokers that they THEY pony up their life savings to open NON-Smoking businesses, the council chosen to steal the rights of others. How pitifully disgusting!

While our brave soldiers are pulling dictators from spider holes in Iraq, the mini-dictators in Lincoln, NE are busy spinning new ways to destroy the very freedoms that this country was built on.

Tell me this? Has the city of Lincoln agreed to no longer accept tax dollars collected from the sale of tobacco products throughout the state? As of this writing, I believe not..... Could anything be more Hypocritical?

If the Lincoln city council ever has the guts to stop accepting tobacco tax dollars, then they should levy a "holier-than-thou"

tax (similar to the sin-tax) against every non-smoker in the city. My guess is, they will wail and cry louder than ever at the thought of having to pay for exactly what they asked for!

This, from a NON-Smoker!

Jerry D. Gish CEO / Teamworks Development Group, Inc.  
Omaha, NE

Sincerely,

Jerry Gish  
15244 W Maple Road  
Omaha, Nebraska 68116



"Jerry Gish"  
<[theprestige@msn.com](mailto:theprestige@msn.com)>  
m>

To: <[JRay@ci.lincoln.ne.us](mailto:JRay@ci.lincoln.ne.us)>  
cc:  
Subject: Re: Correction

04/12/2005 12:01 PM

Hello Joan,

Your welcome! However, it is the council and mayors office that are working on a "perspective". I simply stated the facts of the matter.

Sincerely,

Jerry & Rosalia Gish

----- Original Message -----

**From:** [JRay@ci.lincoln.ne.us](mailto:JRay@ci.lincoln.ne.us)

**To:** [theprestige@msn.com](mailto:theprestige@msn.com)

**Sent:** Tuesday, April 12, 2005 9:04 AM

**Subject:** Re: Lincoln Council & Mayor Denounce Freedom of Choice!

Dear Mr. Gish: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for sharing your perspective on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: [jray@ci.lincoln.ne.us](mailto:jray@ci.lincoln.ne.us)

[theprestige@msn.c](mailto:theprestige@msn.com)

om

To: [council@ci.lincoln.ne.us](mailto:council@ci.lincoln.ne.us)

cc:

04/11/2005 07:33

Subject: Lincoln Council & Mayor Denounce

Freedom of

PM

Choice!

Lincoln City Council  
555 S. 10th Street

Lincoln, NE 68508

Dear Lincoln City Council,

It is sad to see this country, giving in to the cry babies of the world! America the great was built on the back of the FREE Enterprise System and freedom of choice. Lincoln, NE has chosen to ignore those sturdy foundations by giving in to those that prefer a middle eastern dictator style of government!

The Lincoln city council, instead of requiring non-smokers to exercising their right of freedom of choice, have instead decided to tear away the rights of others and legislate "choice". Why should it be so difficult for non-smokers to simply not patronize businesses that do not cater to them??

Instead of suggesting to non-smokers that they THEY pony up their life savings to open NON-Smoking businesses, the council chosen to steal the rights of others. How pitifully disgusting!

While our brave soldiers are pulling dictators from spider holes in Iraq, the mini-dictators in Lincoln, NE are busy spinning new ways to destroy the very freedoms that this country was built on.

Tell me this? Has the city of Lincoln agreed to no longer accept tax dollars collected from the sale of tobacco products throughout the state? As of this writing, I believe not..... Could anything be more Hypocritical?

If the Lincoln city council ever has the guts to stop accepting tobacco tax dollars, then they should levy a "holier-than-thou" tax (similar to the sin-tax) against every non-smoker in the city. My guess is, they will wail and cry louder than ever at the thought of having to pay for exactly what they asked for!

This, from a NON-Smoker!

Jerry D. Gish CEO / Teamworks Development Group, Inc.  
Omaha, NE

Sincerely,

Jerry Gish  
15244 W Maple Road  
Omaha, Nebraska 68116



Dear Mr Werner,

We are writing to ask that you not allow WalMart to build at 84<sup>th</sup> & Adams. This is right next to our school, Faith Lutheran. We are concerned for the safety and security of our children.

RECEIVED  
APR 12 2005  
CITY COUNCIL  
OFFICE

There is potential overflow into our parking lots at peak business hours, plus 24-7 days of operation which brings truck traffic, noise and litter, sale of alcohol and fire arms. I'm sure you wouldn't want this next door to a public school..

Please encourage WalMart to move farther north on 84<sup>th</sup> where the school wouldn't be affected. Thank you for your time.

Concerned parents & grand parents,

*Adriana Gomb*

*Jonathan D Frank*  
*Roberta Frank*

*Eloy J. Frank*

*This involves nearly 300 students*



**karla.foit@mutualofom  
aha.com**

04/12/2005 09:10 AM

To: council@ci.lincoln.ne.us  
cc:  
Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Please try to encourage the state legislature to have a smokefree Nebraska. I can only hope that my daughter will be able to grow up in a completely smokefree environment.

Nebraska needs to look to the future and join the 9 other states that have already made that decision to be smokefree and the many countries that have also decided to do so.

Thank you so much for making Lincoln smokefree, you have given hope to those of us who live in Omaha!

Sincerely,

Karla Foit  
2711 N. 113th Street  
Omaha, Nebraska 68164



**sallybernhardt@comm  
ercialfed.com**

04/12/2005 10:26 AM

To: council@ci.lincoln.ne.us  
cc:  
Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Sally Bernhardt  
301 S 69th Street  
Omaha, Nebraska 68132



**jen@strawsticksandbri  
cks.com**

04/12/2005 01:25 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Jennifer Carlson  
1734 West B Street  
Lincoln, Nebraska 68522



**sunnyday2@earthlink.  
net**

04/12/2005 01:48 PM

To: council@ci.lincoln.ne.us  
cc:  
Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Deborah Skourup  
5816 N 99th Plz  
#7  
Omaha, Nebraska 68134



**jsimpson@healtheducation.org**

04/12/2005 02:17 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Jill Simpson  
3149 Fletcher Ave  
#297  
Lincoln, Nebraska 68504



**dawn.kohler@firstdata  
corp.com**

04/13/2005 08:30 AM

To: council@ci.lincoln.ne.us  
cc:  
Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Dawn Kohler  
7814 S 101 St  
Omaha, Nebraska 68128




**Joan V Ray**

04/13/2005 11:08 AM

To: "Sara Friedman" <sfriedman@neb.rr.com>

cc:

Subject: Re: Yankee Hill feasibility study 

Dear Ms. Friedman: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Sara Friedman" <sfriedman@neb.rr.com>



**"Sara Friedman"**

<sfriedman@neb.rr.com>

04/12/2005 04:34 PM

To: <council@ci.lincoln.ne.us>

cc:

Subject: Yankee Hill feasibility study

I am asking you not to do another feasibility study on a Yankee Hill overpass. Four studies, from 1997 to 2005, have been conducted and all came to the same conclusion, traffic projections to 2005 and beyond do not warrant extending Yankee Hill Road through Wilderness Park.

In 2002, Alan Abbot of the PWD estimated that an environmental impact study of extending

Yankee Hill Rd through Wilderness Park would cost about \$500,000.

The road itself would cost \$ 45 million.

In accordance with the Dept. of Transportation Act of 1966 and amended in 1983, Federal Funding would not be available because the road would cut through Wilderness Park

Thank you for considering these points before making your decision

Respectfully,

Sara Friedman

1990 Ryons St.

Lincoln, NE 68503

(402) 477-6050



**Joan V Ray**

04/13/2005 11:13 AM

To: Dave O <daoco@yahoo.com>

cc:

Subject: Re: Politics Causes Unemployment 

Dear Mr. Oenbring: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Dave O <daoco@yahoo.com>



**Dave O**

<daoco@yahoo.com>

04/13/2005 09:24 AM

To: council <council@ci.lincoln.ne.us>

cc:

Subject: Politics Causes Unemployment

Please consider the following article in your debate over a "living wage".

David Oenbring

Lincoln, NE 68502

402-474-4300

*Mises Daily Article* <article@mises.org> wrote:

From: "Mises Daily Article" <article@mises.org>

To: "Mises Daily Article" <article@mises.biglist.com>

Subject: Politics Causes Unemployment

Date: Wed, 13 Apr 2005 10:10:02 -0400



Visit the [Mises Economics Blog](#).

## Politics Causes Unemployment

by Hans F. Sennholz

[\[Posted April 13, 2005\]](#)



The [ILO reports](#) that unemployment worldwide hit a record high last year of 185.9 million people worldwide, or 6.2 percent of the global labor force.

The political class claims to have the answer, but unemployment is not the result of any one cause. It makes its appearance in a great variety of circumstances, some in personal factors, some in economic changes, and some in legislative and regulatory conditions. Throughout the year some workers may appear in the labor market and then withdraw. Students work during the summer and return to school in September. Building and construction activities, logging and lumbering, slaughtering and meat packing are very seasonal and give rise to a considerable amount of temporary unemployment. Similarly, industrial and technological changes may force workers to readjust and relocate. Jobs, wages, and working conditions always point the way.

The Bureau of Labor Statistics of the United States Department of Labor keeps careful watch of unemployment and diligently counts the numbers. But in its long history the Bureau has never prepared a systematic collection, organization, and analysis of the unemployment created by labor laws and regulations. Yet this kind of unemployment is more important by far than seasonality or industrial and technological change to which labor markets readily adjust. It is chronic and lamentable as it creates large armies of unemployed, impoverishes many people, breeds discontent, indignation, anger, and, worst of all, being interpreted erroneously, may turn public opinion against the enterprise order itself. In the end, it may even deliver the economy into the very hands that cause the unemployment.

Whenever government forcibly raises employment costs it causes marginal labor, that is, labor that barely covers its costs, to become submarginal. It does not matter whether government orders wage rates to rise or benefits to be improved, the workday to be shortened, overtime pay to be raised, funds to be set aside for sickness and old age, or any other benefit to be granted. A small boost renders few workers submarginal, a large boost affects many. In matters of employment they now are "unproductive" and cannot be used economically.

It is obvious to all but politicians that any worker, male or female, old or young, Yank or Chinaman, whose service is worth only \$10 an hour but must be paid \$20 or more cannot be employed profitably. He would inflict clear losses on anyone who would hire him, which condemns him to a life of idleness, uselessness, and emptiness. Unaware of the very cause of his affliction, he is likely to take umbrage at society that apparently sentenced him to lifelong unemployment.

American labor laws evoke such feelings every day. At this time they enforce a minimum

wage of \$5.15 an hour, plus 7.65% payable into a Social Security account, plus 2% to 10% into an unemployment compensation account, plus 10% to 100% for workmen's compensation which is a fund that pays an employee who is injured in the course of his work. The compensation assessments vary from state to state, but the levies together readily double the employment costs in many occupations.

The Bureau calculates total fringe costs of \$5.80 an hour for service workers and \$8.73 an hour for construction workers. Skilled and trained workers surely are able to cover their fringe costs by way of takehome-pay adjustment; instead of earning \$18.73 an hour they receive only \$10. But how can an unskilled service worker who is to earn \$5.15 an hour to cover additional fringe costs of \$5.80 an hour? He obviously must render services worth at least \$10.95 an hour to cover his employment costs. Anyone unable to render \$10.95-services cannot be employed productively.

Competition forces many employers to grant additional fringe benefits such as paid vacations, sick days, holidays, health and life insurance, pensions, and other gratuities. Employers may even boast of the benefits which nevertheless are covered by employee productivity, just like the legally required benefits. Highly productive workers may soon cover them, but unskilled minimum-wage workers who expect the same company benefits obviously would be unable to earn them. If there is no demand for their services at \$10.95 an hour there will be none at any higher rate.

Chronic unemployment obviously is a political disease that springs from the primitive notion that government can improve everyone's income and working conditions by legislation and regulation. It is an affliction that stems from misinterpretation and misinformation about work and income and from an undaunted faith in collective force and coercion. It clearly reflects the spirit and mentality of our age. Unless they soon will give way to the spirit of individual freedom and enterprise the rate of unemployment is likely to rise. It may even reach the levels of the old European welfare states, such as France, Germany, and Italy, where unemployment rates usually exceed 10 percent.

There is no ready escape from the consequences of such labor laws. Surely, most young workers are willing and ready to accept employment at honest market rates; they are even prepared to ignore the labor laws and work under market conditions. But most employers do not dare to violate the laws. The penalties leveled at them always are onerous and degrading no matter what their motives may be. Nevertheless economists estimate that some 30 percent of unskilled youths find ready employment in the "underground economy" where wages are paid according to productivity. Many small family enterprises employ and train millions of young people.

In the coming years the rate of unemployment probably will rise as Congress raises the minimum wage, boosts Social Security taxes, and increases the benefits, that is, the costs of labor. But times change; we may learn anew that labor laws that ignore basic economic principles and build on brute force have hurtful consequences.

---

Hans F. Sennholz, Professor Emeritus Grove City College and Adjunct Scholar of the Mises Institute, is the winner of the 2004 Gary G. Schlarbaum Prize. See also [A tribute to Professor Sennholz by Joseph Salerno](#), Book: [The Underground Economy](#) (1984), [Quarterly Journal of Austrian Economics](#), Vol. 5, No. 4, dedicated to Hans Sennholz, [Daily Article archive of articles by Sennholz](#), [Austrian Economics Newsletter interview with Hans Sennholz](#), and Lew Rockwell's [essay](#) on Sennholz. Comment on the [blog](#).

In response to many requests, it is now possible to set your credit-card contribution to the Mises Institute to be recurring. You can easily set this up on-line with a donation starting at \$10 per month. See the [Membership Page](#). This is one way to ensure that your support for the Mises Institute is ongoing.

[\[Print Friendly Page\]](#)

## Mises Economics **BLOG**

### [Mises Email List Services](#)

#### [Join the Mises Institute Mises.org Store](#)

[Home](#) | [About](#) | [Email List](#) | [Search](#) | [Contact Us](#) | [Periodicals](#) | [Articles](#) | [Games & Fun](#)  
[FAQ](#) | [EBooks](#) | [Resources](#) | [Catalog](#) | [Contributions](#) | [Freedom Calendar](#)

---

You are subscribed as: daoco@yahoo.com

Manage [your account](#). Unsubscribe [here](#) or send email to [this address](#).

Report abuse or Spam on the [abuse page](#).



**bchbum1@cox.net**

04/13/2005 01:13 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Tish Walker  
5416 North 134th Avenue  
Omaha, Nebraska 68164



**gerbholz@juno.com**

04/13/2005 08:56 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Edith Gerbholz  
14111 Edna Circle  
Omaha, Nebraska 68138




Joan V Ray

04/14/2005 12:09 PM

To: <gabe@g2cigars.com>

cc:

Subject: Re: 

Dear Sir: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"gabe" <gabe@g2cigars.com>



"gabe"

<gabe@g2cigars.com>

04/14/2005 11:33 AM

Please respond to gabe

To: "Lincoln City Council" <council@ci.lincoln.ne.us>

cc:

Subject:

Dear city council persons:

My name is Kevin Gabel. I am co owner of a web site that sells cigars. We are a brand new company that has the hopes to eventually open up a brick and mortar location somewhere here in Lincoln.

My partner and I began planning our business shortly before the smoking ban was implimented. By the time the smoking ban came into existence we had already invested much time, energy, and money into getting our business up and running. We felt we were too far into everything to abandon our plans.

My comments, questions, and suggestions are regarding the current smoking ban. Does the city council have any concerne about how this ban has effected the small business in our community which have taken a substantial loss of business? If so, what plans do you have to help these businesses recover this lost business?

I have visited with numerous business owners, and wait staff of these businesses. The feedback that I have recieved from them is that the ban has effected them all substantially. Some businesses have even had to close their doors as I'm sure you all are aware of.

I love the city of Lincoln, but I do not understand how taking rights from one specific group of individuals, (even though those individuals may be in the minority) to accomidate wishes of another group of individuals, can even be justified, in accordance with the freedoms given to us as Americains, outlined in the Constitution of the United States of Americia.

It seems to me that there simple sololutions that could be implimented to accomidate all business owners and citicens as well.

First: Regarding bars and resteraunts. There could be options for the public as to which businesses they choose to patrionize. I feel it should be up to the business owner weather they choose to be a smoking or non smoking establishment. Likewise, as an employee, everyone has the choice of weather they wish to work in a smoking or non smoking environment. I would think as an individual, if I wanted to go out for a meal and a cocktail without being in a smoking environment, I have many options. Resteraunts that primarily serve food as their main venue of income are plentifull. Applebees, Ruby Tuesdays, and TGI Fridays are just a few quality places I could choose to go enjoy a social evening out. Bars that only serve appetizer type food, or no

food at all should be able to have the option if they want to be smoke free or not. Likewise, employees have the option to work in these establishments or not.

I feel that there is a definite market for both smoking and non smoking establishments. As a parent I would much rather choose a restaurant for my family that does not allow smoking. As a responsible adult and an occasional cigar smoker, I should be able to patronize an establishment like Libations, Libations Too, or Big Johns, with my friends to enjoy a social drink and cigar. (I just realized, Big Johns closed their doors because of the effect the smoking ban had on them. How many other businesses have either had to close their doors already, or will in the future because of the ban?)

Second: It seems that there are plenty of options for people that want to enjoy a meal or cocktail in a smoke free environment. They could go to Applebees, Ruby Tuesdays, or TGI Fridays, just to name a few.

Third: Businesses like Teds Tobacco, Cliffs Smoke Shop, and Jakes Smoke shop are all small businesses that cater to smokers. Non smokers do not even patronize these places. If smoking is allowed in these establishments, how could this possibly infringe on non smokers rights.

Fourth: As an occasional cigar smoker I don't like to smoke in my home. My wife is a non smoker, and I have children in my home. I do not want to put them in an environment that is going to subject them to second hand smoke. I don't mind going outside to smoke, but we all know that in Nebraska we don't always enjoy perfect weather. Now I don't have any place to go as an option when it is cold outside.




**Joan V Ray**

04/14/2005 01:55 PM

To: rzing17@hotmail.com

cc:

Subject: Re: Thank you for a Smokefree Lincoln! 

Dear R. Knox: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

rzing17@hotmail.com



**rzing17@hotmail.com**

04/14/2005 01:58 PM

To: council@ci.lincoln.ne.us

cc:

Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Roma Knox  
8642 R Plz  
Apt #1  
Omaha, Nebraska 68127

RECEIVED

APR 14 2005

CITY COUNCIL  
OFFICE

To whom it may concern,

On the night of October 29, 2004, at approximately 11:30 p.m., I ran over a road construction sign, which caused both of my left tires to blow out. After all the troubles I went through to have the city reimburse me for the damage that they caused, the government let me down.

On that day, the wind had been blowing very hard all day and night. I was driving in the left lane through the construction on North 27<sup>th</sup> Street near Old Dairy Street. A road construction sign that had been moved to the median for the weekend had blown into the left lane of traffic. It was laying face down so I didn't see it until I was right on top of it. There were cars traveling on my right side and the median on the left; there was no where to go and no time to stop. As I drove over the sign, my tires on the left side of my truck blew out and immediately went flat. I fought hard to maintain control of my truck and thought for a while it was going to flip. I did get the vehicle back under control, and drove to the parking lot at Sonic's. While waiting for a taxi to come pick me up, I walked to where I had hit the sign and noticed the road sign laying there and it had been broken. The sign was a bright orange, diamond shaped sign that was attached to a metal rod with a spring attached. I collected a couple of the broken pieces sign as evidence of the sign I hit.

My truck was towed to T.O. Haas Tire on Monday, November 1, 2004. They found that both tires had been slashed in the tread and the wheel on the left front had a puncture hole. Apparently, I hit something on the sign, a bolt perhaps, that went through the tire and into the wheel itself. I went to the police station to file an accident report, they told me because damages did not exceed \$1,000, I did not need to fill out a

report. The cost to have my truck towed to the garage and to have my tires and wheels replaced was \$407.18.

I have called in and written to the city attorney, Jim Faimon. Most of the times, he was “too busy” to talk to me. And then on the rare occasion that I actually got in a few words with him, he talked to me as if I were on a lower level than him because I am still a teenager. I was told to write a letter in to him about the accident. I wrote the letter, even including the receipts of all the bills to fix my car. About a week after sending in the letter, I started giving him some calls to ask him about the progress of the claim against the city of Lincoln. Each time I would call, Mr. Faimon would tell me how it was in progress. After about seven weeks I got a letter from Mr. Faimon, stating that he was going to turn down the claim to the city council. About another week or two later, I received another letter that showed that he did indeed turn it down and that I would have no chance of getting reimbursed for the accident. He told me that if I did still want to have a chance to get my money back, that I should call the contractor and sue them, because it was supposedly not a city project.

First of all, I am one of the many poor college students here in Lincoln. I attend Nebraska Wesleyan University. I do not usually have four hundred dollars just laying around to fix my car, especially when a city project messed it up in the first place. My college costs twenty-four thousand dollars a year to attend. Even with scholarships, I still have to take out seventeen thousand dollars in student loans. I only had very little money to start the school year off with and when I had to pay for my car to get fixed, because of the city’s lack of responsibility, it broke me completely. Actually, it really put me in the hole. I had to borrow money from my brother to get my car fixed.

I can not see how Mr. Faimon could have told me that this was not a city project and therefore the city's fault. The city workers were too lazy to take care of the sign the proper way and failed to put it in its proper place. How could this have not been a city project? The construction was taking place in the middle of North 27<sup>th</sup> Street. As I recall, there was construction running clear up to Wal-Mart, and that was several blocks past where I hit the sign.

Overall, the city played a horrible act as a government, letting one of its members of its community suffer like I had to. If this accident would have been my fault and I would have hit the sign on the curb, I'm sure this all would have turned out differently. I what have still had to pay for my car, and then my insurance would have to pay the city for a whole new sign. I just think that the city would have more respect for one of its members than what they showed me. By the childish acts of Jim Faimon treating me like I was under him, to having the claim turned down during city council, Lincoln's government is not taking responsibility for something they messed up on. I would hope my hometown would not treat on of its members the same way.

Sincerely,

Micah Cluck

9/2/05

**ADDENDUM  
TO  
DIRECTORS' AGENDA  
MONDAY, APRIL 18, 2005**

**I. MAYOR**

1. NEWS RELEASE - RE: City Prepared For Spring Game Traffic-StarTran running Big Red Express from two locations - (See Release)
2. NEWS RELEASE - RE: On-Line Reserved, Pre-Paid Parking Available For Spring Game - (See Release)
3. NEWS ADVISORY - RE: Mayor Coleen Seng will have a news conference at 10:00 a.m. Thursday, April 14 at 23<sup>rd</sup> & "D" Streets - (See Advisory)
4. NEWS RELEASE - RE: City Of Lincoln Implements Pavement Management System - (See Release)
5. NEWS RELEASE - RE: Two And One-Half Miles Of Residential Streets To Be Repaired - (See Release)
6. NEWS RELEASE - RE: New E-Pay Service Available For Commercial Water Users - (See Release)
7. NEWS RELEASE - RE: Mayor Seng's Public Schedule Week of April 16 through 22, 2005-Schedule subject to change -(See Release)

**II. CITY CLERK**

1. Petition with 4 signatures - RE: Item #9 - 05-42 - Change of Zone 05021- (See Petition)

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS/CORRESPONDENCE - NONE**

**B. DIRECTORS AND DEPARTMENT HEADS**

**WOMEN'S COMMISSION**

1. NEWS RELEASE - RE: Equal Pay Day Observed On Tuesday-Equal Pay Day Recognizes Women Working in the Red -(See Release)

**C. MISCELLANEOUS**

1. E-Mail from Shane & Robyn Sydzyik - RE: Thank you for a Smokefree Lincoln! -(See E-Mail)
2. 2 -E-Mail's from Kevin Gabel - RE: The current Smoking Ban -(See E-Mail's)
3. Faxed Letter from Craig Schmidt - RE: Opposed to the construction of a road in Wilderness Park - (See Letter)
4. 2 -E-Mail Letter's & Material from Michael Carlin, Friends of Wilderness Park; & Mary Roseberry-Brown, President, Friends of Wilderness Park; - RE: Comprehensive Plan - Proposed Study to extend Yankee Hill Road through Wilderness Park-Comp. Plan Amendment 05002 Hearing April 18<sup>th</sup> - (See Material)
5. Faxed Memo from Paul D. Zillig, Assistant General Manager, Lower Platte South Natural Resources District - RE: The Links PUD at 1<sup>st</sup> & Fletcher-groundwater - (See Memo)
6. E-Mail from Doc Mullet - RE: Wilderness Park-NO to ANY Roads!!!! - (See E-Mail)



**CITY OF LINCOLN**  
**NEBRASKA**

# NEWS RELEASE

**MAYOR COLEEN J. SENG**

lincoln.ne.gov

**OFFICE OF THE MAYOR**

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE: April 13, 2005**

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Captain Joy Citta, Police Department, 441-7751

Scott Opfer, Public Works and Utilities, 441-7851

## **CITY PREPARED FOR SPRING GAME TRAFFIC**

*StarTran running Big Red Express from two locations*

Mayor Coleen J. Seng today said the Police and Public Works and Utilities Departments have made plans to accommodate traffic and pedestrians attending the UNL spring football game at 12:30 p.m. Saturday, April 16 at Memorial Stadium. Stadium Drive will close at 7 a.m., and the Husker Pavilion will open on that street at 9:30 a.m. The stadium will open at 11 a.m. for general admission seating.

"We expect up to 60,000 Husker fans to stream into our downtown area for the spring game this year," said Mayor Seng. "We welcome fans to our downtown, and we are taking extra steps to make sure they remain safe."

The Lincoln Police Department has assigned 22 officers to direct traffic before and after the game. Those coming from out of town who plan to park west of the stadium, including the Haymarket Park parking areas, are encouraged to use the airport or West "O" Street exits. Those parking downtown are urged to use the downtown exit. The West Bypass to Capitol Parkway West is also recommended as a route into and out of downtown Lincoln.

StarTran will offer its Big Red Express service from two locations:

- Home Depot, 27th and Cornhusker
- SouthPointe Pavilions, 27th and Pine Lake Road.

Buses will run from 10:30 a.m. to noon from these locations to the stadium. They will leave from the east side of the stadium immediately following the game. The cost is \$3 each way for adults and \$1 each way for children age 12 and under.

Downtown parking meters are enforced until 6 p.m. Saturdays. The parking section of the City Public Works and Utilities Department is offering \$5 pre-paid parking at four of its parking facilities:

- Que Place Garage, 1111 "Q" Street
- Market Place Garage, 935 "Q" Street
- Haymarket Garage, 840 "Q" Street
- Iron Horse Parking Lot (surface lot), 201 N. 7th Street

- more -

**Spring Game  
April 13, 2005  
Page Two**

All other City parking facilities will be open, and normal parking rates will apply. On-line reserved parking for the Spring Game is available at [lincoln.ne.gov](http://lincoln.ne.gov). Attendants at the Que Place, Market Place and Haymarket garages will have information about on-line parking reservations, season parking passes, parking locations and other information for the 2005 Husker football season. Maps and other parking information are available at [lincoln.ne.gov](http://lincoln.ne.gov) or by calling the parking office at 402-441-6472.

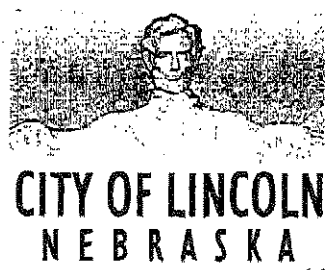
Parking will be available in the University facility at 17th and "R" streets at normal rates. The INS lot at 8th and "S" streets will charge \$5 for cars and \$10 for RVs.

Handicapped parking is available on the surface lot at 19th and "R" streets with a University shuttle service beginning at 11 a.m. Handicapped parking also is available at the City parking facilities, 14th and Vine streets, and the UNL lot at 10th and Holdrege.

The Antelope Valley Project has resulted in these closures:

- Court Street, the east-west street immediately south of the Bob Devaney Sports Center has been permanently closed east of 15th Street. North 16th Street between Holdrege Street and the "Y" Street Connector has been permanently closed for excavation of the Antelope Creek Channel.
- Two lanes of Vine Street from North 22nd to North 28th Streets are closed for improvements. Two traffic lanes in the area are to remain open for two-way traffic. Motorists are reminded that left turns off of Vine Street onto 27th Street are prohibited at all times. Fans may consider accessing the stadium from the west to avoid possible delays in the area.

The fans will include about 5,000 elementary and junior high students from the region who will take a drug-free pledge at half time of the spring game. The buses carrying the students will be routed to the lot at University lot at 14th and Holdrege streets.



# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** April 13, 2005

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831  
Ken Smith, City Parking Manager, 441-6097

## ON-LINE RESERVED, PRE-PAID PARKING AVAILABLE FOR SPRING GAME

To help those attending the UNL spring football game Saturday, the parking section of the City Public Works and Utilities Department is offering \$5 pre-paid parking at four of its parking facilities:

- Que Place Garage, 1111 "Q" Street
- Market Place Garage, 935 "Q" Street
- Haymarket Garage, 840 "Q" Street
- Iron Horse Parking Lot (surface lot), 201 N. 7th Street

The option to pre-pay through the City web site is available for the spring game at [lincoln.ne.gov](http://lincoln.ne.gov).

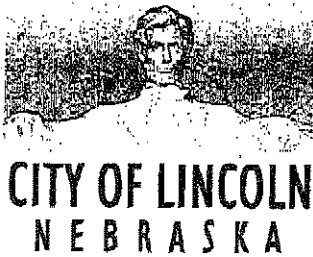
All other City parking facilities will be open, and normal parking rates will apply. Attendants at the three garages offering pre-paid parking will have information about on-line parking reservations, season parking passes, parking locations and other information for the 2005 Husker football season. Maps and other parking information are available at [lincoln.ne.gov](http://lincoln.ne.gov), [parkitdowntown.org](http://parkitdowntown.org) or by calling the parking office at 402-441-6472.

University officials expect 60,000 people to attend the spring game, which starts at 12:30 p.m. at Memorial Stadium. Stadium Drive will close at 7 a.m., and the Husker Pavilion will open on that street at 9:30 a.m. The stadium will open at 11 a.m. for general admission seating.

StarTran will offer its Big Red Express service from two locations:

- Home Depot, 27th and Cornhusker
- SouthPointe Pavilions, 27th and Pine Lake Road.

Buses will run from 10:30 a.m. to noon from these locations to the stadium. They will leave from the east side of the stadium immediately following the game. The cost is \$3 each way for adults and \$1 each way for children age 12 and under.



# NEWS ADVISORY

MAYOR COLEEN J. SENG

lincoln.ne.gov

**OFFICE OF THE MAYOR**

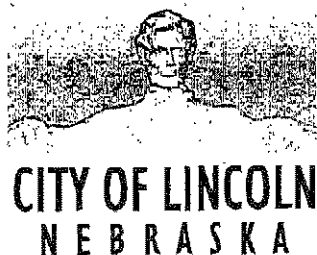
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**DATE:** April 13, 2005**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will have a news conference at **10 a.m. Thursday, April 14** at 23rd and "D" streets.

The Mayor will discuss the implementation of a pavement management system to survey more than 1,500 miles of City streets. The news conference will include a demonstration of the Digital Survey Vehicle used in the pavement management system. The mayor also will release this year's list of street rehabilitation projects and issue a proclamation for the TeamMates One-Hour Walk coming up April 17.

In case of inclement weather, the news conference will be postponed and rescheduled at a later date.



# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** April 14, 2005**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831  
Karl Fredrickson, Public Works and Utilities, 441-5673

### CITY OF LINCOLN IMPLEMENTS PAVEMENT MANAGEMENT SYSTEM

Mayor Coleen J. Seng announced that the City is implementing a pavement management system to help extend the life of City streets. Applied Research Associates (ARA), a pavement engineering and management firm from Illinois, began surveying more than 1,500 miles of city streets this week with a specially equipped van. Over the next five to six weeks, ARA will survey all major arterials and residential streets.

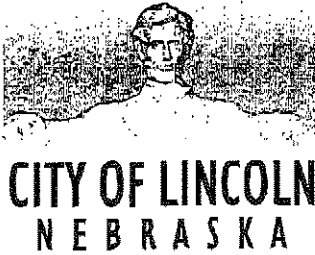
"It is very important that we make the best use of the funds allocated for street maintenance and resurfacing," said Mayor Seng. "This technology is a very valuable tool. Once implemented, the system will give us the information we need to extend the life of our streets."

The assessment collects high-quality digital images of the pavement surface and measures the number and extent of defects. The van also will record the amount of roughness and rutting along each street surface. The van is equipped with navigation and global positioning systems (GPS) to map its position.

Once all of the digital images are processed for each of the 15,000 pavement sections in the street network, the street data are entered into a pavement management software program designed for the City of Lincoln's unique combination of traffic, climate and paving materials. The software will then be used to select the most appropriate maintenance or repair method for each street to extend the life of the pavement.

In addition to the condition survey, ARA also will simultaneously capture high resolution digital images of sidewalks, curbs, gutters, handicapped ramps, street trees and fire hydrants. These images can then be analyzed for GPS coordinates and other key attributes to help the City maintain its entire roadway infrastructure.

The system will cost about \$420,000 and will produce savings by helping to identify the best places to spend street maintenance funds. "We expect to recoup that expense fairly quickly because this system will tell us where we can make minor repairs now to avoid expensive major reconstruction later," said Assistant City Engineer Karl Fredrickson.



# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** April 14, 2005

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Karl Fredrickson, Asst. City Engineer, 441-5673

Thomas Shafer, Design and Construction Manager, 441-7837

## **TWO AND ONE-HALF MILES OF RESIDENTIAL STREETS TO BE REPAIRED**

Mayor Coleen J. Seng today announced that the City will spend about \$720,000 to repair more than two and one-half miles of residential streets this year. Public Works and Utilities crews also have repaired thousands of potholes so far this year.

"Street repair is a priority, but funding does not allow us to do as much work this year as we would like," said Mayor Seng. "We are very careful to allocate our scarce resources to the projects that are most needed in our community."

The criteria used to determine which streets will be rehabilitated include the current condition of the roadway surface, the condition of the curbs, the type of base, traffic volumes and types of traffic.

This year's project areas are:

- South 23rd Street, "D" Street to Randolph Bypass
- Logan Avenue, 56th Street to Touzalin Avenue
- Woods Boulevard, Pace to Stockwell
- Kessler Street, Woods Boulevard to Kessler Circle
- Cooper Street, South 46th Street to South 48th Street
- St. Paul Avenue, North 56th Street to North 58th Street
- Cleveland Avenue, North 58th Street to North 60th Street
- Ervin Street, North 52nd to Benton
- "H" Street, 25th Street to 27th Street
- South 45th Street, Sumner to South
- "Y" Street, 27th Street to 33rd Street
- High Street at 14th Street
- Kearney Avenue, 60th Street to Touzalin Avenue
- Taylor Park Drive, "L" Street to Park Vista

- more -

**Street Repair**  
**April 14, 2005**  
**Page Two**

About seven and one-half miles of major roadways will be reconstructed, including these areas:

- Yankee Hill Road from 27th Street to 40th Street, including the 27th Street intersection
- 84th Street from Kathy Lane to Cheney Ridge Road
- 84th Street from Montello to Kathy Lane
- Capitol Parkway West and Homestead Expressway ("K" and "L" interchange)
- Pine Lake Road, 40th Street to 56th Street
- Vine Street, 21st Street to 27th Street

Bridges being repaired are at 70th Street and Salt Creek; the Airport Bridge on Adams, west and northwest of 12th Street; and the Folsom/Van Dorn bridge. Antelope Valley bridges under construction are at "Y" Street, Vine Street and Military Road as well as the "Big T" south of the Devaney Center.

Mayor Seng urged motorists to be careful and slow down in construction areas.

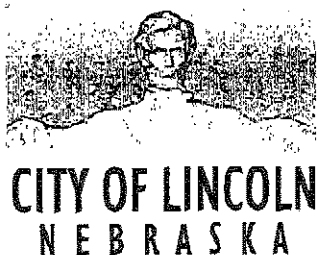
More information on City construction projects is available on the City Web site at [lincoln.ne.gov](http://lincoln.ne.gov). A street service request form to report potholes and other problems is available on the Web site. Citizens also can report potholes by calling 441-7646

### 2005 City Roadway Projects

General Location	Project Type	Length
S. 23rd from "D" to Randolph	Rehabilitation	15 miles
Logan Ave. from 58th to Touzalin	Rehabilitation	21 miles
Woods Blvd from Pace to Stockwell	Rehabilitation	32 miles
Kessler Street from Woods Blvd to Kessler Circle	Rehabilitation	07 miles
Cooper from 46th to 48th	Rehabilitation	15 miles
St. Paul Ave. from 56th to 58th	Rehabilitation	15 miles
Cleveland Ave from 58th to 60th	Rehabilitation	15 miles
Ervin from 52nd to Benton	Rehabilitation	21 miles
"H" from 25th to 27th	Rehabilitation	15 miles
45th from Sumner to South	Rehabilitation	21 miles
"Y" from 27th to 33rd	Rehabilitation	40 miles
High from 14th to 14th (Intersection)	Rehabilitation	07 miles
Keamey from 60th to Touzalin	Rehabilitation	15 miles
Taylor Park Drive from "L" to Parkvista	Rehabilitation	29 miles
27th St from Yankee Hill Rd to Whispering Wind	Major Roadway Reconstruction	0.6 miles
Yankee Hill Road, from 27th St to 40th St	Major Roadway Reconstruction	1.0 miles
40th Street from Yankee Hill Road to San Mateo	Major Roadway Reconstruction	0.6 miles
84th St from Montello to Kathy Lane	Major Roadway Reconstruction	1.2 miles
84th St from Kathy Ln to Cheney Ridge Rd	Major Roadway Reconstruction	1.4 miles
Pine Lake Road - 40th to 56th	Major Roadway Reconstruction	1.7 miles
Vine St - 21st St to 27th St	Major Roadway Reconstruction	0.5 miles
Morning Glory Estates (84th & Holdrege)	Major Roadway Reconstruction	0.5 miles
Ashbrook Dr to Hwy 2 (Bersan Church Road)	New Paving	25 miles
Alley Paving District, 46th to 49th, Lowell to Maradeth	New Paving	07 miles
SW 27th - West "A" to South St	New Paving	75 miles
South St from SW 27th to SW 23rd	New Paving	
14th and Hwy 2 Intersection Safety Improvement	Safety Improvements	N/A
"Y" St Bridge & Roads	Antelope Valley	N/A
Vine St Bridge & Roads	Antelope Valley	N/A
Military Rd & Bridge	Antelope Valley	N/A
Phase 1 - Big "T"	Antelope Valley	N/A
Bridge Repair 70th & Salt Creek	Bridge Repair	N/A
Adams W of NW 12th (Airport Bridge)	Bridge Repair	N/A
Folsom/VanDorn Bridge Repair	Bridge Repair	N/A

### Other projects affecting the traveling public

General Location	Project Type
Capital Parkway West and Homestead Expressway	
(K & L Interchange) State Project	Nebraska Department of Roads
I-80 (Six Lane Reconstruction)	Nebraska Department of Roads
63rd & Orchard/Cotner & Holdrege	Storm Bond Drainage
26th and "D" to 33rd and Randolph	Storm Bond Drainage
Sherwood/Somerset, 54th to Cleveland	Storm Bond Drainage
12th St, Charleston to Court	Storm Bond Drainage
56th & Holdrege	Storm Bond Drainage
66th Street - Ballard to Burlington	Storm Bond Drainage
Fiber / Traffic Signal Improvements - Capital Pkwy, 17th to 40th	Traffic Operations
Fiber / Traffic Signal Improvements - Cornhusker Highway	Traffic Operations
48th & Adams	Traffic Operations
27th & Holdrege	Traffic Operations
Trunk Sewer - Beal Slough Improvement	Wastewater
Beal Slough phase I	Wastewater
Worthington and 20th	Wastewater
Salt Creek Relief Sewer	Wastewater
Knox, 56th to 47th	Wastewater
S. 27th, Manse to Van Dorn	Wastewater
South Folsom Street and West South Street	Water Main
Fletcher, 1st to 14th	Water Main
1st & Fletcher to NW 12th & US 34	Water Main
Oaks Hollow, Stevens Ridge	Water Main
S. 48th street - Old Cheney to Claire	Water Main
74th, Baldwin to Walker	Water Main
98th, Pine Lake Road to Yankee Hill Road	Water Main
NW 12th, Fletcher to US 34	Water Main
N 58th Street, Fletcher to Arbor Rd	Water Main
NW 27th & "C" to NW 25th & Saunders	Water Main
US 34, NW 27th to NW 12th	Water Main
Arbor Road, 40th to 56th	Water Main



# NEWS RELEASE

MAYOR COLEEN J. SENG

lincoln.ne.gov

**OFFICE OF THE MAYOR**

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** April 14, 2005**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Margaret Remmenga, Public Works and Utilities, 441-7550

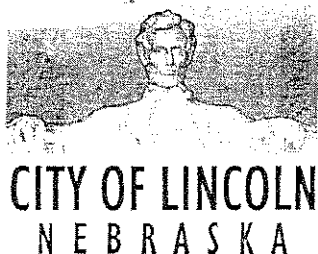
**NEW E-PAY SERVICE AVAILABLE  
FOR COMMERCIAL WATER USERS**

Mayor Coleen J. Seng today announced that non-residential water and wastewater customers can now pay their Lincoln Water System bills through the City Web site at [lincoln.ne.gov](http://lincoln.ne.gov). Residential customers already have the e-pay option.

Customers receive a four-digit personal identification number (PIN) on their bills. Customers will need to use the PIN to pay the bill online, and a new PIN will be issued with each bill. A processing fee of \$2 will be assessed. Customers also can use the Web site to check previous billings and water usage.

"This e-pay option is another effort to make doing business with the City easier and more efficient," said Mayor Seng. "With e-pay services, citizens can save time, gas and postage, and they can use the service 24 hours a day."

Other e-pay services available through [lincoln.ne.gov](http://lincoln.ne.gov) are animal license renewals; payment of parking tickets and property taxes; criminal histories; and public parking reservations. All can be accessed from the home page by clicking "online services."



# NEWS RELEASE

MAYOR COLEEN J. SENG

[lincoln.ne.gov](http://lincoln.ne.gov)

Date: April 15, 2005

Contact: Diane Gonzolas, Citizen Information Center, 441-7831

## Mayor Seng's Public Schedule Week of April 16 through 22, 2005 *Schedule subject to change*

Monday, April 18

- Mayor's Annual Award of Excellence, present awards - 1:30 p.m., City Council Chambers, 555 South 10th Street, reception following in lobby outside Mayor's Office

Tuesday, April 19

- Lincoln Chamber of Commerce/Downtown Lincoln Association 2005 Technology Expo luncheon, remarks - 11:30 p.m., UNL City Campus Union
- International visitor from Guyana - 3:45 p.m., Mayor's Office, 555 South 10th Street
- Lincoln Chamber of Commerce Business After Hours - 4 p.m., Embassy Suites ballroom, 1040 "P" Street

Wednesday, April 20

- YWCA Mentors and Allies Award breakfast - 7:30 a.m., BryanLGH Medical Center East, Plaza Conference Center, 1600 South 48th Street
- KFOR call-in show - 12:30 p.m., 3800 Cornhusker Highway

Thursday, April 21

- News conference - 10 a.m., topic and location to be announced
- Library Foundation Fund-Raiser with Dick Cavett, remarks and present Key to the City - 6:30 p.m., Embassy Suites ballroom, 1040 "P" Street
- Lincoln Police Department's Citizen Academy Graduation, remarks - 7 p.m., Embassy Suites, rooms D, E and F, 1040 "P" Street

Friday, April 22

- Infant Immunization Week proclamation signing - 10 a.m., Mayor's Conference Room, 555 South 10th Street
- Buddy Poppy proclamation signing - 10:30 a.m., Mayor's Office, 555 South 10th Street
- International visitor from Argentina - 11 a.m., Mayor's Office, 555 South 10th Street
- Health Department Environmental Awards Dinner - 7 p.m., BryanLGH Medical Center East, Plaza Conference Center, 1600 South 48th Street

TO: Planning Department

It has been brought to our attention, that the University Place Community Organization (UPCO) is trying to down-zone our property, from R5 to R2. We feel this will decrease our property values, and decrease the marketability of our property upon it's sale.

We wish to object to this attempt to down-zone our properties. Please note our objection with our signature and address found below.

<u>Printed Name</u>	<u>Signature</u>	<u>Address</u>	<u>Date</u>
Charles E. Erby	<i>Charles E. Erby</i>	4946 GARLAND ST SC36 GARLAND	3-5-05
James L. Erks	<i>James L. Erks</i>	FOR PATRICIA ERKS 4926 GARLAND	3-5-05
Paragote A. Fotopoulos	<i>Paragote A. Fotopoulos</i>	5026 GARLAND	3-5-05
Bill Dillbert	<i>Bill Dillbert</i>	2200 NW 50 <sup>th</sup>	3-14-05

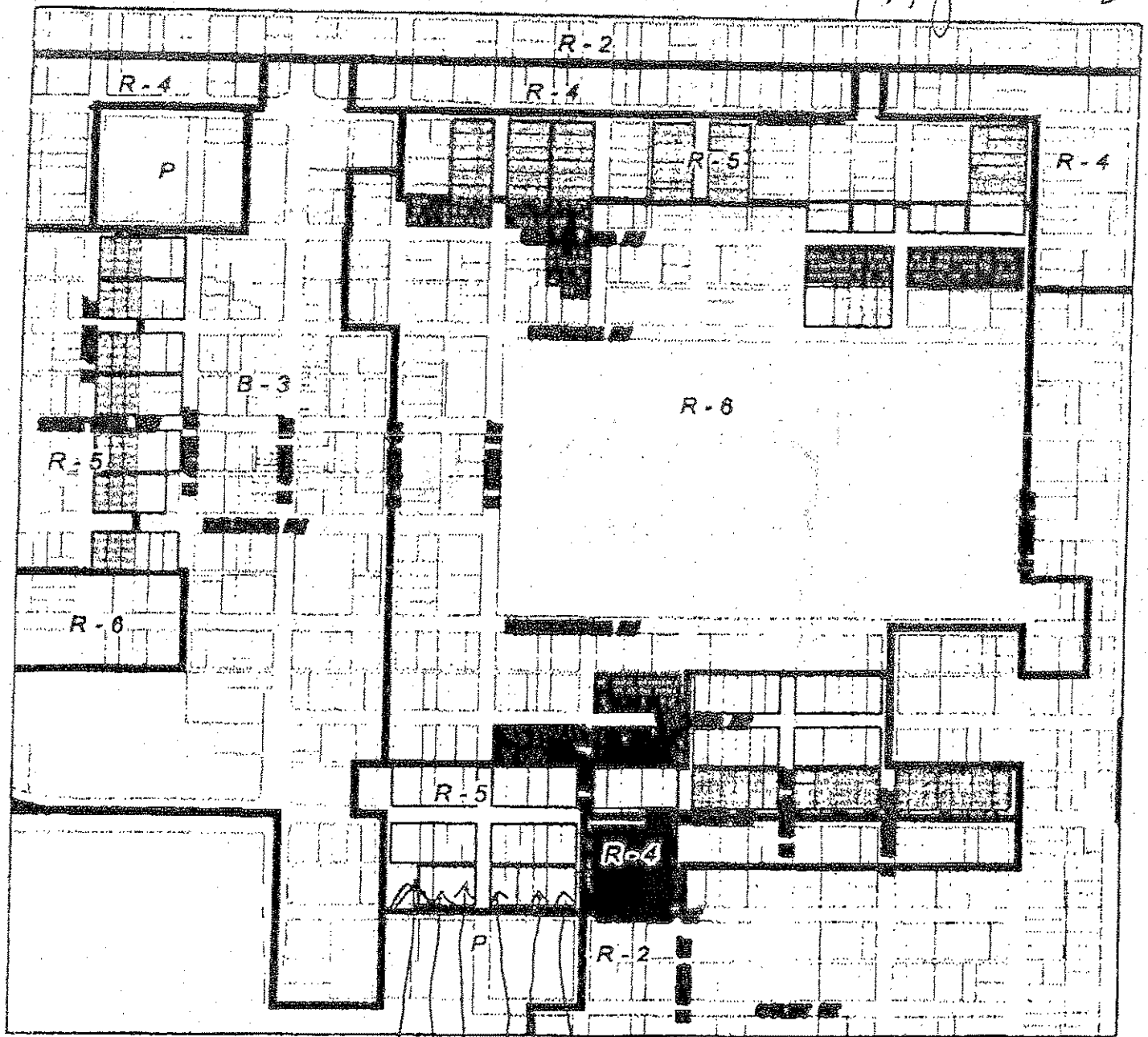
↑  
Note  
Date

New property owner IN opposition

This petition covers only  
FROM 49th to 51th St. ON  
GARLAND St.

MAR 11 2005

038



**Zoning:**

- R-1 to R-8 Residential District
- A-2 Agricultural District
- A-2R Agricultural Residential District
- R-1C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Employment Center District
- P Public Use District

m:\p\zoning\05021.doc 05/02/11

**Areas of Application**

- B-3 to R-4
- R-4 to R-2
- R-5 to R-2
- R-5 to R-4
- R-6 to R-2
- R-6 to R-4
- R-6 to R-5

**Change of Zone #05021  
University Place Community Org.**

\* See petition

One Square Mile  
Sec. 17 T10N R7E

- 5036 GARLAND - IN OPPOSITION
- 5026 GARLAND - IN OPPOSITION
- 2200 W 50th - IN OPPOSITION
- 4946 GARLAND - IN OPPOSITION
- 4926 GARLAND - IN OPPOSITION

cheever Apartments 12 plex NOT Included IN Down zoning PER Jim FAKS



Joan V Ray

04/15/05 12:07 PM

To: CouncilPacket/Notes@Notes

cc:

Subject: WOMEN'S COMMISSION NEWS RELEASE - Equal Pay Day -  
REVISED

----- Forwarded by Joan V Ray/Notes on 04/15/2005 12:11 PM -----



Diane Mullins

04/15/2005 11:25 AM

To: dmullins@lincoln.ne.gov

cc: (bcc: Joan V Ray/Notes)

Subject: WOMEN'S COMMISSION NEWS RELEASE - Equal Pay Day -  
REVISED

NEWS  
RELEASE  
CITY OF LINCOLN  
LANCASTER COUNTY

FOR IMMEDIATE RELEASE:  
FOR MORE INFORMATION:

April 15, 2005

Bonnie Coffey, 402/441-8695

Diane Mullins, 402/441-7717

## **EQUAL PAY DAY OBSERVED ON TUESDAY**

*Equal Pay Day Recognizes Women Working in the Red*

On Tuesday, April 19, 2005 thousands of women from across the United States will join in a national day of action against unfair pay called Equal Pay Day. April is symbolic of the point into the new year that a woman must work in order to earn the wages paid to a man in the previous year. On a national level, women are paid only 77 cents for every dollar a man is paid, according to the U.S. Census Bureau. So, because women earn less, we must work longer for the same pay.

The Lincoln-Lancaster Women's Commission is calling for women to wear red attire on Tuesday to bring about awareness in the community of pay inequities. Working women are extremely concerned about pay inequity, not only for themselves, but for their family.

At a time when America's economy is facing a downturn, every penny counts! According to the AFL-CIO, over a 40-year career, the average 25-year-old woman who works full-time will earn approximately \$523,000 less than the average man, if current wage patterns continue.

Fair pay takes real changes! Here in Lincoln and Lancaster County, we will join hundreds of other organizations across the nation to educate women and men about pay inequity and to offer solutions to wage discrimination. City Council member Annette McRoy will present the Proclamation on behalf of Mayor Seng to the Council of Women Leaders networking dinner held at 5:30 p.m. at the Holiday Inn Downtown to acknowledge Tuesday, April 19th, as Equal Pay Day. Reservations are still open for the event.

The proclamation will further encourage the business community to review their pay practices to

ensure that women are not discriminated against by performing an Equal Pay Self-Audit provided by the U.S. Department of Labor's Women's Bureau.

For more information, contact the Lincoln-Lancaster Women's Commission at 441-7716 or e-mail to: [llwc@lincoln.ne.gov](mailto:llwc@lincoln.ne.gov).



Joan V Ray

04/14/05 04:49 PM

To: CouncilPacket/Notes@Notes  
cc:  
Subject: Thank you for a Smokefree Lincoln!

----- Forwarded by Joan V Ray/Notes on 04/14/2005 04:53 PM -----



sydzyik67@yahoo.com

04/14/2005 04:46 PM

To: council@ci.lincoln.ne.us  
cc:  
Subject: Thank you for a Smokefree Lincoln!

Lincoln City Council  
555 S. 10th Street  
Lincoln, NE 68508

Dear Lincoln City Council,

Thank you for bringing smokefree air to Lincoln!

I appreciate the action of the City Council to protect Lincoln's workers, citizens, and visitors from secondhand smoke.

Congratulations on receiving the ANR 100% Smokefree Award of Excellence. Lincoln is now a healthier community thanks to the leadership of the Lincoln City Council.

Sincerely,

Shane and Robyn Sydzyik  
5034 South 143 Street  
Omaha, Nebraska 68137



To: CouncilPacket/Notes@Notes  
cc:  
Subject: Re:

To: <JRay@ci.lincoln.ne.us>  
cc:  
Subject: Re:

Thank you  
Kevin Gabel

```
> "gabe"
> <gabe@g2cigars.co To: "Lincoln City
Council" <council@ci.lincoln.ne.us>
> m> cc:
> Subject:
> 04/14/2005 11:33
> AM
> Please respond to
> gabe
```

>

>

>Dear city council persons:

>My name is Kevin Gabel. I am co owner of a web site that sells cigars. We  
>are a brand new company that has the hopes to eventually open up a brick  
>and mortar location somewhere here in Lincoln.

>My partner and I began planning our business shortly before the smoking ban  
>was implimented. By the time the smoking ban came into existence we had  
>already invested much time, energy, and money into getting our business up  
>and running. We felt we were too far into everything to abandon our plans.  
>My comments, questions, and suggestions are regarding the current smoking  
>ban.

>Does the city council have any concerne about how this ban has effected the  
>small business in our community which have taken a substantial loss of  
>business? If so, what plans do you have to help these businesses recover  
>this lost business?

>I have visited with numerous business owners, and wait staff of these  
>businesses. The feedback that I have recieved from them is that the ban  
>has effected them all substantially. Some businesses have even had to  
>close their doors as I'm sure you all are aware of.

>I love the city of Lincoln, but I do not understand how taking rights from  
>one specific group of individuals, (even though those individuals may be in  
>the minority) to accomidate wishes of another group of individuals, can  
>even be justified, in accordance with the freedoms given to us as  
>Americains, outlined in the Constitution of the United States of Americia.  
>It seems to me that there simple sololutions that could be implimented to  
>accomidate all business owners and citicens as well.

>First: Regarding bars and resteraunts. There could be options for the  
>public as to which businesses they choose to patrionize. I feel it should  
>be up to the business owner weather they choose to be a smoking or non  
>smoking establishment. Likewise, as an employee, everyone has the choice  
>of weather they wish to work in a smoking or non smoking environment. I  
>would think as an individual, if I wanted to go out for a meal and a  
>cocktail without being in a smoking environment, I have many options.  
>Resteraunts that primarily serve food as their main venue of income are  
>plentifull. Applebees, Ruby Tuesdays, and TGI Fridays are just a few  
>quality places I could choose to go enjoy a social evening out. Bars that  
>only serve appetizer type food, or no food at all should be able to have  
>the option if they want to be smoke free or not. Likewise, employees have  
>the option to work in these establishments or not.

>I feel that there is a definat market for both smoking and non smoking  
>establishments. As a parent I would much rather choose a resteraunt for my  
>family that does not allow smoking. As a responsible adult and an  
>occasional cigar smoker, I should be able to patrionize an establishment  
>like Libations, Libations Too, or Big Johns, with my friends to enjoy a  
>social drink and cigar. (I just realized, Big Johns closed their doors  
>because of the effect the smoking ban had on them. How many other  
>businesses have either had to close their doors already, or will in the  
>future because of the ban?)

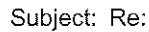
>Second: It seems that there are plenty of options for people that want to  
>enjoy a meal or cocktail in a smoke free environment. They could go to  
>Applebees, Ruby Tuesdays, or TGI Fridays, just to name a few.

>Third: Businesses like Teds Tobacco, Cliffs Smoke Shop, and Jakes Smoke  
>shop are all small businesses that cater to smokers. Non smokers do not  
>even patronize these places. If smoking is allowed in these  
>establishments, how could this possibly enfringe on non smokers rights.

>Fourth: As an occasional cigar smoker I don't like to smoke in my home.

>My wife is a non smoker, and I have children in my home. I do not want to  
>put them in an environment that is going to subject them to second hand  
>smoke. I don't mind going outside to smoke, but we all know that in  
>Nebraska we don't always enjoy perfect weather. Now I don't have any place

>to go as an option when it is cold outside.  
>



Subject: Re:

>Dear city council persons:  
>My name is Kevin Gabel. I am co owner of a web site that sells cigars. We  
>are a brand new company that has the hopes to eventually open up a brick  
>and mortar location somewhere here in Lincoln.  
>My partner and I began planning our business shortly before the smoking ban  
>was implimented. By the time the smoking ban came into existence we had  
>already invested much time, energy, and money into getting our business up

>and running. We felt we were too far into everything to abandon our plans.  
>My comments, questions, and suggestions are regarding the current smoking  
>ban.

>Does the city council have any concerns about how this ban has effected the  
>small business in our community which have taken a substantial loss of  
>business? If so, what plans do you have to help these businesses recover  
>this lost business?

>I have visited with numerous business owners, and wait staff of these  
>businesses. The feedback that I have recieved from them is that the ban  
>has effected them all substantially. Some businesses have even had to  
>close their doors as I'm sure you all are aware of.

>I love the city of Lincoln, but I do not understand how taking rights from  
>one specific group of individuals, (even though those individuals may be in  
>the minority) to accomodate wishes of another group of individuals, can  
>even be justified, in accordance with the freedoms given to us as

>Americains, outlined in the Constitution of the United States of America.  
>It seems to me that there simple solutions that could be implimented to  
>accomodate all business owners and citicens as well.

>First: Regarding bars and resteraunts. There could be options for the  
>public as to which businesses they choose to patrionize. I feel it should  
>be up to the business owner weather they choose to be a smoking or non  
>smoking establishment. Likewise, as an employee, everyone has the choice  
>of weather they wish to work in a smoking or non smoking environment. I  
>would think as an individual, if I wanted to go out for a meal and a  
>cocktail without being in a smoking environment, I have many options.

>Resteraunts that primarily serve food as their main venue of income are  
>plentifull. Applebees, Ruby Tuesdays, and TGI Fridays are just a few  
>quality places I could choose to go enjoy a social evening out. Bars that  
>only serve appetizer type food, or no food at all should be able to have  
>the option if they want to be smoke free or not. Likewise, employees have  
>the option to work in these establishments or not.

>I feel that there is a definate market for both smoking and non smoking  
>establishments. As a parent I would much rather choose a resteraunt for my  
>family that does not allow smoking. As a responsible adult and an  
>occasional cigar smoker, I should be able to patrionize an establishment  
>like Libations, Libations Too, or Big Johns, with my friends to enjoy a  
>social drink and cigar. (I just realized, Big Johns closed their doors  
>because of the effect the smoking ban had on them. How many other  
>businesses have either had to close their doors already, or will in the  
>future because of the ban?)

>Second: It seems that there are plenty of options for people that want to  
>enjoy a meal or cocktail in a smoke free environment. They could go to  
>Applebees, Ruby Tuesdays, or TGI Fridays, just to name a few.

>Third: Businesses like Teds Tobacco, Cliffs Smoke Shop, and Jakes Smoke  
>shop are all small businesses that cater to smokers. Non smokers do not  
>even patronize these places. If smoking is allowed in these  
>establishments, how could this possibly enfringe on non smokers rights.

>Fourth: As an occasional cigar smoker I don't like to smoke in my home.

>My wife is a non smoker, and I have children in my home. I do not want to  
>put them in an environment that is going to subject them to second hand  
>smoke. I don't mind going outside to smoke, but we all know that in  
>Nebraska we don't always enjoy perfect weather. Now I don't have any place  
>to go as an option when it is cold outside.

>Fifth: Everyone knows there is a risk associated with smoking. Likewise  
there are risks with obesity, and even walking down the street. Emmissions  
from automobiles, factories, even farmers burning the weeds out of their  
ditches, are dangerous to our health, and environment. Banning these things  
would not practical. There are areas in Lincoln that don't even have  
sidewalks for children to ride their bikes on. More people are overweight in  
our country than ever before. What comes next? Are people going to have  
regulations placed on them on how many time a week they can go to Mcdonalds?

I doubt it.

What about people who don't get enough exercise? Will the government impose regulations on them, requiring them to participate in organized exercise programs.

My whole point is the government is supposed to be there for all people. I exercise my right as an American and vote in every election. Regardless of if the candidates I vote for win or loose, I expect them to be a voice for all citizens. Discriminating against any specific group of people is wrong. That is what the current smoking ban is doing. Why can't we look at other options when we put things up for a vote. When an "all or nothing" vote is put on the ballot, somebody is going to loose. It is not too late to correct this injustice. Please consider doing the right thing and take a look at what can be done to help out the small business owners that this ban has effected so negitively.

If my email sounds curt or harsh, I'm sorry. I never meant for it to come across that way. I am just exercising my right as an American to speak my mind to those who are supposed to represent everybody.

Respectfully

Kevin Gabel

Co Owner: G2 Cigars

Phone: 489-1071

6650 South Bermuda Dr.

Lincoln Ne 68506

>

>

>

>

>

4/15/05

DEAR COUNCIL MEMBERS,

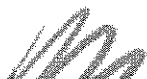
I DO NOT SUPPORT THE CONSTRUCTION OF A ROAD IN WILDERNESS PARK. WILDERNESS PARK IS A ONE OF A KIND, TRUE "WILDERNESS" PARK IN THE CITY OF LINCOLN. I AM A YEARLY USER OF THE PARK. THROUGHOUT THE YEAR I SEE PEOPLE HIKING/WALKING, BIKING, RUNNING, FAMILIES, PICNICS, HORSEBACK RIDERS, THE LIST COULD GO ON. THE AMOUNT OF WILDLIFE I SEE EACH TIME COULD FILL UP THE REST OF THIS PAGE. PLEASE DONT DISTURB THE ONLY TRUE AND UNIQUE "WILDERNESS" PARK WE ENJOY IN THE CITY OF LINCOLN.

THANKS FOR YOUR TIME,

CRAIG SCHMIDT

2659 SO. 11<sup>TH</sup>

LINCOLN NE 68502



Joan V Ray

04/15/05 10:50 AM

To: CouncilPacket/Notes@Notes  
cc:  
Subject: COMP PLAN AMENDMENT HEARING APRIL 18

----- Forwarded by Joan V Ray/Notes on 04/15/2005 10:54 AM -----



"Mike Carlin"  
<mcarlin@neb.rr.com>

04/14/2005 10:20 PM

To: <council@ci.lincoln.ne.us>  
cc:  
Subject: COMP PLAN AMENDMENT HEARING APRIL 18

Please ensure that the members of the City Council receive both attached letters prior to April 18's public hearing on Comprehensive Plan Amendment 05002.

Thank you,

Michael Carlin  
2700 W. Paddock Rd.  
Lincoln, NE 68523  
402-420-9092



[mcarlin@neb.rr.com](mailto:mcarlin@neb.rr.com) CC-CB Ltr 4.14.05.do CC-CB ltr 4.23.02.do

April 14, 2005

Members of the City Council and the Lancaster County Board of Commissioners,

This letter is regarding Comprehensive Plan Amendment 05002, amending the Mobility and Transportation element of the 2025 Lincoln/Lancaster County Comprehensive Plan, by upgrading existing US Highway 77 to freeway standards from Interstate 80 to the planned South Beltway interchange south of Saltillo Rd., which is on your respective agendas April 18 and 19.

I have been monitoring the progress of this project for several years—as an interested citizen; as a member of The Friends of Wilderness Park Board of Directors; and, as a resident of Hitching Post Hills, where I am currently the President of the neighborhood association. I was satisfied with the original plan to close Old Cheney Rd. but am not opposed to building an overpass. When the MPO Officials Committee met in January to address the differences between the City Council and the County Board on this issue, I expected the compromise to be a feasibility study for an Old Cheney Rd. overpass. That is a reasonable way of addressing the concerns of those who do not want the road closed. However, the idea of expanding the overpass feasibility study to include Yankee Hill and Rokeby Rds. came as somewhat of a surprise.

Yankee Hill Rd. currently connects with Hwy. 77 only from the west—Wilderness Park lies to the east. With no road to the east, just where would an overpass go or connect to? The concept of an overpass at Rokeby Rd. is a little easier to envision (at least it has roadway on both sides) but it also ends at S. 14<sup>th</sup> St. It appears that there are two farms in between Rokeby Rd. and Saltillo Rd. that have land on both sides of Hwy. 77, but I'm not sure a \$10-12 million overpass is justified when those two farmers can drive less than a mile to Saltillo Rd. to get across Hwy. 77, and will be able to do so even after the South Beltway is completed.

Simply put, the Yankee Hill and Rokeby Rd. overpass feasibility studies need to be deleted from the amendment. I understand that with an interchange planned at Pioneers Blvd. and the possibility of an overpass at Old Cheney Rd., that at some point in the future we will need to widen one or both of those roads through the Park. I will support that when the time comes because widening an existing road through the Park is far less damaging than carving out a new one, plus, it just makes sense.

I know most of you were in office during the Comprehensive Plan update in 2002, so instead of going on to repeat everything you heard then, I have attached an electronic copy of the letter that The Friends of Wilderness Park sent to the City Council and County Board in April 2002.

Thank you for your service to the citizens of Lincoln and Lancaster County.

Sincerely,

Michael Carlin  
Friends of Wilderness Park  
2700 West Paddock Rd.  
Lincoln, NE 68523  
402-420-9092  
mcarlin@neb.rr.com

April  
23, 2002

To: City Council Members Jon Camp, Jonathan Cook, Glenn Friendt, Annette McRoy, Coleen Seng, Ken Svoboda, Terry Werner  
Board of Commissioners Kathy Campbell, Bernie Heier, Larry Hudkins, Ray Stevens, Bob Workman

From: Mary Roseberry-Brown, President, Friends of Wilderness Park

Subj: Comprehensive Plan, RE: Proposed Study to extend Yankee Hill Road through Wilderness Park

Copy to: Mayor Don Wesely  
Kerry Eagan, Chief Administrative Officer  
Kent Morgan, Director of Planning  
Lynn Johnson, Director of Parks and Recreation  
Parks and Recreation Advisory Committee

On April 3<sup>rd</sup>, the Planning Commission made a common sense change to the draft comprehensive plan. Rather than focus on a single roadway study option they wisely agreed to the following change: "Beltways and Fringe Arterials – Explore options for promoting the maximum utilization by local traffic of the west, south, and east beltways, Interstate 80, and major urban fringe arterials in order to minimize the impact of future traffic growth on existing interior roadways." **We applaud their decision** to remove the Yankee Hill Road study and to broaden the scope of the study to what is really needed. **Care must be taken** to ensure that the all-encompassing study not be misused to do a "Yankee Hill Road study" without calling it that.

This letter is intended to answer questions and concerns that emerged during the Common's meeting of April 9<sup>th</sup>. Highlights include:

- 1 **Traffic Needs Analysis.** As part of the comprehensive plan review process, the city hired LSA Associates, Inc, transportation planning consultants, from Fort Collins, CO to conduct a traffic needs analysis for the city. LSA Associates, Inc concluded that extending Yankee Hill Road through Wilderness Park is **not necessary** and would **not solve** Lincoln's projected traffic problems.
- 2 **Financial Analysis.** The projected cost of the Street and Roadway Improvement Plan is \$346 million more than projected revenues. **The Yankee Hill Road project would add \$45 million to that shortfall.**
- 2 **Public Opinion.** The public has spoken **loud and clear** against the proposal at every stage of the comprehensive plan development.
- 3 **Environmental Impact.** Extending a four-lane divided roadway through and/or over the park would cause **serious environmental and flood control damage.** The need to give **special consideration** to any potential roadway was recognized by the City Council, County Board and the Mayor in October 2000 with an amendment to the comprehensive plan.

Thank you for your time and consideration.

Sincerely,

Mary Roseberry-Brown

Attached: Copy of LSA Associates, Inc systems-level analysis

### **Traffic Needs Analysis**

We *understand* that traffic currently crosses Wilderness Park and will continue to do so. The question is; are the current corridors through the park capable of handling the projected traffic increases that the development of southwest Lincoln will bring? LSA Associates, Inc, the transportation consultants who conducted the traffic analysis study for the comprehensive plan, say yes, **current corridors are more than adequate**, and an additional crossing is **not recommended**. They also recommend *against* closing any of the existing crossings, even if a new crossing is built.

**What the Experts Say:** The LSA Associates, Inc systems-level analysis of the Wilderness Park crossing at Yankee Hill Road is attached. This information was provided to Mike Brienzo in the Planning Department (now in Public Works) on January 9, 2002. The computer modeling included several different combinations of alternatives to include extending Yankee Hill Road to Highway 77. Comments on extending Yankee Hill Road through the park include:

- 1 Relatively **small amount** of congestion delay and vehicle mile savings
- 2 **Limited benefits**
- 2 Would likely **score poorly** in terms of congestion reduction and cost effectiveness

**What Happened to the Information:** The information contained in the LSA Associates, Inc systems level analysis **was not provided to the Comprehensive Plan Committee or the Planning Commission**. Mr. Brienzo repeatedly **denied** that the information existed. It was only after I submitted a formal request for a copy of the document pursuant to the Nebraska public records statutes that it was made available (copy of request e-mailed to you March 25<sup>th</sup>). Even then, it was I, not the Planning Department, who provided the information to the Planning Commission during the public hearings on March 27<sup>th</sup>. One of our members, Michael Carlin, has asked the Mayor to have an outside agency conduct an **official investigation** of this intentional withholding of critical information from decision-making bodies by a city employee, and the resultant attempt at a **cover-up** (copy of letter e-mailed to you April 2<sup>nd</sup>). As of April 22, Ann Harrel in the Mayor's office was "checking on the status" of that request.

**Other Traffic Analysis Results:** All of the arguments submitted for extending Yankee Hill Road through Wilderness Park were **disproved** by the results of the LSA Associates, Inc systems-level analysis.

- 4 West Beltway use north of Warlick Blvd would increase by only 2.5%

- 5 Traffic would **increase** on two of three north-south arterials with an aggregate decrease of only 187 vehicles per day
- 6 The planned for expansion of Highway 2 to six lanes, and the rerouting of Highway 2 to the South Beltway when complete, will produce **far greater traffic benefits** than extending Yankee Hill Road across Wilderness Park
- 7 The systems-level analysis did include planned development in the southwest section of the city west of Highway 77; all east-west arterials are well within their design capacity; **the furthest additional distance anyone would have to drive without the Yankee Hill Road extension is one mile**
- 8 Traffic on the South Beltway would be reduced by 7% with the Yankee Hill Road extension, **which runs counter to the stated goal of maximizing use of the beltway system**

**14<sup>th</sup>/Old Cheney/Warlick intersection:** The reconstruction of this intersection is already on the list of committed city projects. Public Works is waiting to find out what is going to happen at Old Cheney Road and Highway 77 before they proceed. The issue at the 14<sup>th</sup>/Old Cheney/Warlick intersection is **not the volume of traffic**, which is and will continue to be well within each streets capacity, **but the safety of the intersection configuration**. Building the Yankee Hill Road interchange would slightly reduce traffic volume on some, **but not all**, of the streets that comprise the intersection. **A smartly designed intersection is the real answer to the safety issue and the funds are already committed to do just that.**

**Past Studies:** The LSA Associates, Inc systems-level analysis is just the latest of several traffic analyses that **do not support** extending Yankee Hill Road through Wilderness Park.

- 9 **2000 Long Range Transportation Plan**—Of seven alternative network options, the two that showed greatest benefit **did not include** extending Yankee Hill Road
- 10 **1999 S1-S2 Subarea Transportation Study**—Though a seriously flawed document, it did not recommend extending Yankee Hill Road, and said that if built, it would **not eliminate the need for alternative roadway improvements**, particularly on north/south roadways
- 11 **1997 South and East Beltway Study**—Yankee Hill Road was quickly ruled out, primarily because **reasonable and prudent alternatives** were available

As previously stated, care must be taken to ensure that the all-encompassing study not be misused to do a “Yankee Hill Road study” without calling it that. In fact, just the opposite should occur. As stated in the **October 2000 amendment to the comprehensive plan**, as moved by Coleen Seng and approved by the City Council, the County Board and the Mayor; **“If necessitated, the proposed Needs Analysis Study for a potential roadway crossing of the Wilderness Park shall give special consideration to the unique environmental character of the park and the previous planning efforts that have occurred for that area.”** Every effort should be made to ensure that, as federal law requires, all feasible and prudent alternatives be pursued before serious consideration is given to adding another crossing to the park.

## Financial Analysis

Before any decisions are made concerning the proposed street and roadway improvement plan, the City Council and Board of Commissioners need to have reliable figures to work with.

The Comprehensive Plan Committee approved a street and road improvement plan through 2025 as part of the draft comprehensive plan. The Public Works Department provided a financial analysis for that plan. **The figures** provided by the Public Works Department **have changed dramatically** several times over a short period of time **without plausible explanation**. Even more alarming was the willingness of the Comprehensive Plan Committee and the Planning Commission to accept those figures without serious question.

### A summary of figures provided by Public Works (figures are in millions of dollars)

	<u>Jan 11</u>	<u>Jan 18</u>	<u>Jan 24</u>	<u>Feb 5</u>	<u>Feb 6</u>
Revenues	873	873-927	873-927	873-927	1100
Expenditures	1471	1417-1471	1219-1273	1219-1273	1446
Shortfall	544(598)	544	346	346	346

The estimated cost of extending Yankee Hill Road and connecting it with Highway 77 is **\$45 million**. The estimated cost of a Yankee Hill Road specific study is \$500,000. The bottom line is, **the city cannot afford to build the current proposed street and road improvement plan**. Conducting expensive studies for the purpose of **adding projects** that the city can't afford **is not fiscally prudent**.

If built, the road and interchange would have to be paid for completely with local funds. **Federal funds would not be available** because the roadway does not meet the requirements of section 4(f) of the Department of Transportation Act. This has been confirmed with:

- 1 Stephen Burnham, Planning and Research Engineer with the Federal Highway Administration in Lincoln
- 2 Sandra Washington, Chief of Planning and Environmental Compliance with the National Park Service's Midwest Regional Office in Omaha—the Wilderness Park trail system is a National Recreation Trail (one of only four in the state)
- 2 Art Yonkey, Planning and Project Development Engineer at the Nebraska Department of Roads

The actual cost could be **much greater than \$45 million**. Assuming a 20/80 split as described in the draft comprehensive plan, if the money were used on a different project where Federal funds were available, that \$45 million could become **\$225 million worth of improvements**.

## Public Opinion

The public has spoken **loud and often** against the proposal to extend Yankee Hill Road through Wilderness Park. **Dozens of letters to the editor** have been published in the Lincoln Journal/Star. As part of the comprehensive plan development process, the public had several opportunities to make their feelings known:

### November 2001 Community Workshops

- 3 55 written inputs against it, one for it
- 4 Numerous speakers against it, none for it

### Comprehensive Plan Committee

- 5 27 website entries against it, none for it
- 6 At every meeting of the Committee, **the room was packed with people against the proposal**--they were frequently the only members of the public present concerning any issue

### Planning Commission

- 7 30 people testified against it in public hearings, none for it
- 8 25 website entries against it, none for it
- 9 78 post cards received by Planning Department against it, none for it
- 10 15 letters received by Planning Department against it, none for it

There is the perception amongst the public that **someone who stands to gain financially might be influencing the process**. So, who might profit from this project? (all land ownership has been confirmed with the County Assessor's Office)

- 1 **Wells Fargo Bank owns 26.7 acres west of Highway 77** just off of Yankee Hill Road. **Brad Korell**, their President and a member of the Comprehensive Plan Committee, **proposed the project**.
- 2 **Mega Corporation** is the primary landowner in the Horizon Center on 14<sup>th</sup> St between Yankee Hill Road and Pine Lake Road. Zoned as light industrial, it is being marketed as a potential warehouse freight transfer site with up to **40 truck loading docks**.
- 2 The Horizon Center was **strongly promoted** by the Lincoln Chamber of Commerce. **Mr. Korell** was the Chairman of the Board of Directors in 1998. **Mr. Korell** was also responsible for most of the arguments for extending Yankee Hill Road that were disproved by the LSA Associates, Inc systems-level analysis.
- 3 Rokeby Limited Partnership (**the Seacrest family**) owns three parcels of land totaling **367 acres** adjacent to the Wells Fargo land. **Kent Seacrest** was also actively involved promoting the Horizon Center project.
- 4 **Rick Krueger**, another member of the Comprehensive Plan Committee, owns **sixteen commercial parcels** of land south of Pine Lake Rd on the east side of S 14<sup>th</sup> St, and owns **72.3 acres** north of Yankee Hill Rd also on the east side of S 14<sup>th</sup> St that, according to the land use plan, is slated to become commercial.

There is the appearance that a few individuals who stand to gain financially are attempting to influence public policy decisions. **The use of taxpayer money to fund such an expensive and unnecessary project so that a few may profit should not be**

**allowed to happen.**

## Environmental Impact

Even if the roadway across Wilderness Park is partially elevated, the environmental effect would be devastating. **All of the trees in the right-of-way would have to be removed** which for a four lane divided highway, is significant. **The roadway would fragment the longest unbroken stretch of Wilderness Park**, significantly degrading wildlife habitat. The park is very narrow at that point; the swath that would be cut through it would be nearly half the width of the park itself.

**Flood Control:** One of the reasons Wilderness Park was created was to provide an **upstream water retention basin for Salt Creek before it enters Lincoln**. The meandering nature of Salt Creek in the park adds greatly to its ability to **slow and retain** water flow during storm events.

- 5 Urban encroachment and the resultant increase in runoff volume and velocity have **already accelerated erosion**
- 6 An elevated roadway will require **straightening and channelizing** the creek to keep it from eroding the roadway supports
- 7 The creek's west bank **is only 75 yards** from the pavement of Highway 77
- 8 Consequently, a **huge length of Salt Creek will have to be straightened and channelized**, removing a significant amount of water retention value
- 9 The tree clearing and construction necessary to build the road and move the creek **will add significantly to erosion and runoff problems**

The result will be **more water moving faster with more sediment towards Lincoln**, all effects not desired in a flood plain upstream from a city. The straightening and channelization of Salt Creek runs counter to the very reason that Wilderness Park was created.

**Unique habitat.** Recent studies of wildlife populations in Lancaster County, and some that are specific to Wilderness Park, show that this is indeed a **unique habitat**. This is summarized in the *Animal Inventory of Wilderness Park* (Gabig, 2000) that brings together information from several other studies.

- 10 32 amphibian and reptile species in Lancaster County, of which 24 species are likely to occur in Wilderness Park
- 11 52 species of mammals, of which 42 are likely to occur in Wilderness Park
- 12 10 fish species above Roca and 19 species between Roca and the Highway 2 bypass
- 13 191 bird species sighted in the park
- 14 Some species refuse to cross roads; others refuse to travel under an overpass
- 15 The road would cut these populations in half

**Noise pollution** causes increased heart rates and stress hormones in wildlife, **and humans for that matter**, and would disrupt communication, food hunting ability, territory establishment and defense and reproduction. The key to survival of many of these species, especially the larger mammals, is the size of the park and the **connectedness of habitat from north to south**.

**Pollution:** Even if the roadway is partially elevated, a **significant amount of pollutants** would be introduced to a **previously protected portion of the park**.

- 16 **Heavy metals** released from motor oil, tires and gasoline would work their way up the food chain with toxic effects
- 17 **Saline pollution** from de-icing agents would contaminate ground water, kill vegetation and poison birds, animals and fish
- 18 **Herbicides** applied to roadsides would prove toxic to both animals and desired plants
- 19 **Weeds** that grow along roadways would move into native plant communities and **opportunistic animal species** that thrive along roadsides would take over native species

Correspondence sent from LSA Associates, Inc in Fort Collins, CO to Mike Brienzo in the Planning Department on January 9, 2002

### **LSA Associates, Inc System-level Analysis of the Wilderness Park Crossing at Yankee Hill Road**

As part of the development of the 2025 Long Range Transportation Plan for the City of Lincoln and Lancaster County, a continuation of Yankee Hill Road across Wilderness Park was considered among several alternative roadway improvements throughout the region. Growth projections through 2025 in the southwest portion of the City highlight the need to review roadway levels of service in the area and access between the southwest and other parts of the region.

Although concerns about environmental impacts, costs related to construction and possibly legal challenges, and other issues have been brought forward through the plan's development process, this analysis simply looks at the need for a Yankee Hill Crossing to accommodate Traffic generated by the projected growth at the citywide, or system, level. Other potential benefits, including economic development opportunities, were not considered in this analysis.

#### **Roadway Level of Service**

In its simplest form, roadway level of service (LOS) can be compared to a grading scale from "A" to "F", where "A" is excellent and "F" indicates failure. Level of service was calculated for this analysis as a mathematical function that considers the roadway carrying capacity, amount of traffic, and the speed at which the traffic is moving during rush hour.

In 1998, the most recent year for which detailed LOS data is available, virtually all of the roads in the southwest portion of the city exhibit good levels of service. This includes US77, the current east-west and north-south crossing of the park that currently exist, and other roads in the vicinity. In fact, virtually all of the traffic congestion in 1998 is confined to the arterials in the older, core area of Lincoln.

As the region grows and more housing and jobs begin to locate in the southwest quadrant, traffic volumes and congestion will increase. The region's Comprehensive Plan Committee has approved a draft 2025 land use plan that will add a fair amount of socioeconomic growth to the southwest area, generally bounded by I-80 to the north and US77 to the east. Much of the growth planned in this area through 2025 will be to the north of Yankee Hill Road.

This system-level analysis for the year 2025 is based on anticipated growth and a roadway network that includes the existing roadway system with additional committed projects added to it. Committed projects are those currently under development and funded through the region's current 6-year transportation improvement program. It is likely that additional roadway improvements will be made in the 2025 timeframe, but they still need to be determined through the Plan's development process. As such, the Existing and Committed network provides a reasonable basis for level of service comparisons.

Based on results from the Lincoln Regional Travel Model, level of service on the Existing and Committed network in the year 2025 is generally good in the vicinity of the Yankee Hill crossing at Wilderness Park. Some of the roads closer to the Highway 2/US77 interchange area show elevated levels of service. Wilderness Park crossings on Pioneers and Old Cheney are becoming congested under this scenario. However, the Warlick Blvd. crossing does not appear to experience any congestion. Since the growth and related traffic congestion are north of Yankee Hill, a new crossing at this location may not provide much additional traffic congestion relief to those more congested roads.

### **Yankee Hill Crossing Alternatives**

The Mobility and Transportation task Force reviewed four alternatives related to the Yankee Hill crossing of Wilderness Park:

- 11 Option 1 – an elevated structure extending Yankee Hill Road over Wilderness park between South 14<sup>th</sup> Street and South 1<sup>st</sup> Street;
- 12 Option 2 – Option 1 with closures at the Old Cheney and 14<sup>th</sup> Street crossing of the park;
- 13 Option 3 – Option 2 with an additional closure at the Pioneers crossing; and
- 14 Option 4 – Option 2 with an interchange at Yankee hill and US77.

### **Results of Analysis**

Each of the Yankee Hill crossing options were tested in the Lincoln Regional Traffic Model for their ability to reduce vehicle miles of travel and delay associated with congestion. Option 1 showed a relatively small benefit in reducing vehicle miles and congestion delay when compared to the no-build scenario. This is likely due to the additional access provided to some travelers to and from the southwest area of the City. Without the improvement, these travelers would need to take a different route, resulting in slightly more circuitry on facilities with more congestion. Again, the relative benefits are very small.

The other options, the ones that involve a US77 interchange with Yankee Hill and removal of existing park crossings, exhibited increased delay when compared to the no-build scenario. In other words, the removal of existing crossing more than eliminates any travel time savings derived from the Yankee Hill overpass.

### **Conclusions**

Given the high cost of implementing a new Yankee Hill crossing over Wilderness Park and the relatively small amount of congestion delay and vehicle mile savings, the project appears to have limited benefits and would likely score poorly in terms of congestion reduction and cost effectiveness when compared with other, more beneficial projects across the City. In addition, the roadway system in the southwest quadrant generally provides sufficient capacity and access to serve the travel demand in the area through the year 2025. While some additional improvements to the roadway network in the area will

be necessary to accommodate new growth, the Yankee Hill overpass appears to have only a small ability to alleviate the congestion on these facilities.

If the City decides to proceed with a Yankee Hill crossing of Wilderness Park, the effects of closing existing crossing should be carefully studied. Based on this system-level analysis, the elimination of the existing crossings will negate any benefit derived from the new crossing.

As growth in the southwest area continues beyond 2025, it may be prudent to revisit the need for a Yankee Hill crossing or other potential roadway improvements to handle the increase in traffic congestion.

## LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT



3125 Portia St., Box 83581, Lincoln NE 68501-3581  
(402) 476-2729 • FAX (402) 476-6454  
www.lpsnrd.org

### Memorandum

Date: April 15, 2005  
To: Lincoln City Council  
From: Paul D. Zillig, Assistant General Manager  
Subject: The Links PUD @ 1<sup>st</sup> & Fletcher – groundwater

The Lower Platte South NRD groundwater staff has reviewed HWS's Report of Hydrology Study for the Links at Lincoln. Our understanding is that the Planning Commission is requesting us to determine whether or not the proposed irrigation well(s) would impact other higher priority water wells in the area.

The report does a good job describing the very limited supply of ground water in the area. This limited supply is the very reason neighbors are concerned about what impact more pumping might have on their wells, both from a groundwater quantity and quality standpoint. A primary concern in this area is the effects of pumping on salt water intrusion. The report does not provide enough information to determine the potential effect pumping may have on salt water intrusion. **The report provides insufficient information for us to determine that the proposed irrigation wells would not impact other higher priority water wells in the area.**

Due to the number of domestic wells in close proximity with very limited drinking water alternatives, only a small amount of groundwater available on the property, and the potential for salt water intrusion from over pumping we would encourage the owner to not develop irrigation wells on the property.

PDZ/pz

pc: NRD Board of Directors  
Glen D. Johnson, NRD General Manager  
Dan Schulz, NRD Resources Coordinator  
Ecky Homer, Planning Department



Joan V Ray

04/18/05 09:08 AM

To: "Doc and Dee Mullet" <deedoc@bigred.nu>  
cc: CouncilPacket/Notes@Notes  
Subject: Re: NO to ANY Roads!!!

Dear Doc Mullet: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

"Doc and Dee Mullet" <mullet@neb.rr.com>



"Doc and Dee Mullet"  
<mullet@neb.rr.com>

04/17/2005 09:43 PM  
Please respond to "Doc  
and Dee Mullet"

To: <council@ci.lincoln.ne.us>  
cc:  
Subject: NO to ANY Roads!!!

Lincoln City Council-

There is NO good reason to destroy Wilderness Park by allowing ANY new roads to intrude & disturb that beautiful & important resource. I will donate money & work doggedly to defeat any council member who votes for any intrusion into the Park. Same for repealling the smoking ban!  
Doc Mullet

No virus found in this outgoing message.

Checked by AVG Anti-Virus.

Version: 7.0.308 / Virus Database: 266.9.15 - Release Date: 4/16/2005